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THE
BUILDING OF AN ARMY

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The Century New World Series

THE BUILDING OF AN ARMY

A DETAILED ACCOUNT OF LEGISLA-
TION, ADMINISTRATION AND OPINION
IN THE UNITED STATES, 1915-1920

BY

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TO
LINDSAY ROGERS
COMRADE AND FRIEND

PREFACE

As long as a Secretary of War sits in the President's cabinet and as long as an Army Appropriations Act is annually passed by Congress, the country will be confronted with concrete evidence that there is need for an army policy. The developed practices of nations with regard to foreign relations, protection of citizens and interests abroad, and the maintenance of domestic order, raise inevitably the question of whether the country shall maintain an army, and, if so, what shall be its size and how it shall be constituted. From decade to decade new settlements may be reached on one policy or another, but the problem itself is as continuing as national life. Our naval policy seems at present to have reached such a periodic stage of settlement in consequence of the recent international conference at Washington, but the question of land armaments has not yet been seriously touched. It is one of those open questions as to which there is a very practical need for full public information.

In the meanwhile during the past six or seven years a fund of experience has accrued, and discussions, debates and investigations have taken place, the results of which should be gathered up and preserved because of their important bearing on permanent issues as to policy. To do this is the task attempted in this book. It is written from the standpoint of no controversial proposals, and it advocates no simple solution of what is a most complicated problem. It is intended rather as a more or less careful study of recent experience made with a view of separating out the elements which are of permanent interest from what has been merely transient. The book is meant, in addition, as a study of opinion, for the reason that in

PREFACE

a democratic country opinion sets the limits of the feasible within all practicable policy must be confined. A large number of quotations have therefore been included from the utterances of members of Congress, administrative officials, military experts and other public persons who speak for important groups in the country. These quotations have been gathered not merely for the intrinsic importance of any ideas which they express, but for their representative character and in some instances because of the highly interesting light which they shed on the mental processes of an important public figure or a group. Not being written from the standpoint of advocacy, the book attempts to reproduce with fairness all important shades of opinion.

Indebtedness is acknowledged to a number of valuable governmental compilations of recent years from which much of the material presented in this book has been drawn. Chief among these are the "Second Report of the Provost Marshal General" which has been heavily drawn on in Chapters IV, V and VI.; the report of the Chief of Staff for 1918, printed in the War Department's "Annual Report" for that year, which has supplied the basic material for Chapter VIII; and the "Hearings on Army Reorganization" held by the Senate and House Committees on Military Affairs during the autumn of 1920, from which most of Chapter IX has been taken.

I have attempted in the final chapter to express the conclusions as to the essentials of a feasible American army policy as they appear to me to follow from what is set forth in the preceding chapters.

JOHN DICKINSON

51 East 58th Street, New York City,

March 15, 1922

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The Building of an Army



The Building of an Army

CHAPTER I

THE BACKGROUND OF OUR TRADITIONAL ARMY POLICY

I

THE purpose of this book is to tell the story of the building of an army; to describe the process by which the United States, with a regular military force of but one hundred thousand men on April 1, 1917, succeeded by November 11, 1918, in placing more than three million men under arms. More accurately, it is to tell only a part of that story; for in a broad sense an account of the building of an army under modern conditions of organized national warfare would call for an account of every side of the life of the nation at war. To describe how the army was provided with munitions and equipment would lead into a description of the war-time organization of the nation's whole industrial activity; to describe how it was fed would raise a discussion of the war-time dislocation of agriculture and commerce; an account of transportation and shipping arrangements would be essential; all sides of national effort would have to be touched on, because during the war all converged and focused on the combat-point of the army. None of these matters is within the scope of this book. The story which will be told is simpler. It is the story of the procuring and assembling of the human material out of which the army was built, and of its fashioning into an organized instrument of warfare. In a sense it will be also a story of organization, but not the whole story. Nothing, for instance, will be said about the arrangement and grouping of

the men for purposes of a technical military nature; nor about the machinery of organization developed for the services of supply. What we shall be concerned with will be only the broader matter of organization for purposes of general control and direction; with such questions, for instance, as the relation of the army to one set of political authorities — the nation — rather than to another — the States —, and with the internal organization which had for its object the welding of the army as a whole into a more effective and cohesive unit. Within the limited field thus marked out, there lie a number of questions which, linked together, are fundamental to our military policy in the future as in the past, and which consequently deserve attention as having an important bearing on national welfare.

There has always been controversy as to how far a nation should maintain a standing army and how far it should depend upon levies raised for each special emergency; whether or not special levies of the latter sort should be raised by conscription or on a volunteer basis; and to what extent troops drawn from a particular locality should remain subject to the control of the local authorities. I mention these three questions because they have been especially troublesome in our own history. Each of our wars has raised them, and it can hardly be said that a definite public opinion has yet crystallized with regard to them. Substantially the same questions present themselves in broader forms. What sort of military organization goes best with democratic government and most conforms to democratic ideals of individual conduct and national policy? What is the connection between the obligation to military service and civic obligation in general? What is the relation between the military organization of a nation and its industrial, commercial, and political organization?

It is questions of this kind which arise in the field of facts to be covered in this book. The facts which will be dealt with raise such questions and tend to shed some light on them. The story which this book tells will not solve them; the point is only that, in the material we shall deal with, there is a certain

unity which it will be well to realize at the outset in order to understand why some matters, rather than others, are selected for inclusion and why so much else that is interesting and important is omitted. Our attention will be directed to what may be called the political aspects, as distinguished from the technical military aspects, of army building.

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It is probably not generally realized how far back the movement really goes which finally culminated in the war-time Draft Act. It dates at least from March, 1911. In that month disturbances on the Mexican border for the first time became critical enough to require the mobilization of American troops for patrol purposes. An attempt was made to organize a number of brigades of infantry, cavalry, and artillery into a manœuver division, with results which caused the then chief of staff, Major-General Leonard Wood, to write in his annual report that "the mobilization in Texas has brought out very forcibly the necessity for proper military organization and preparedness for war."¹ From that time forward the matter was never allowed to drop entirely from public attention. In the following year a scheme for a complete reorganization of the army was worked out by the War College and distributed as a public document.^{1a} This report called attention to the fact that political conditions affecting our country had changed very materially in the last twenty years, "and it can hardly be said that the development of our land forces has kept pace with these changing conditions. Gradually our external problems have been assuming larger and larger proportions. While we were expanding, other nations have been doing the like, and within the past few years it is found that practically the whole earth is now divided up among the principal nations. . . . Due to this world-wide expansion the contact between great nations

¹ War Department, "Annual Report," 1911; Vol. 1, p. 157.

^{1a} Also printed in War Department, "Annual Report," 1912; Vol. 1, pp. 69 ff.

and races tends to become constantly closer, due to the increase of population and national needs, and due especially to the vastly increased facilities for intercommunication. With this close contact thus so recently established comes a competition, commercial, national, and racial, whose ultimate seriousness current events enable us to gage. Since our conflict with Spain in 1898, practically all of the principal nations of the earth have either been actively engaged in war or else brought to the verge of actual war. The evidence is clear that the nations and races capable of maintaining and protecting themselves are the only ones who can flourish in the world competition." ² The report went on to recommend that the United States, if it desired to maintain its position as a first-rate power, ought to put itself in a position to mobilize an army of at least 500,000 men immediately on the outbreak of a war.

In 1912 troops had once more to be sent to the Mexican border, where they remained throughout the year 1913. At the same time the Balkan Wars were going on in Europe, and military matters were in the foreground of popular interest. The newspapers gave considerable attention to plans for army reorganization and to discussions of preparedness and unpreparedness, and there was even talk in the air of compulsory service. In the summer of 1913 two camps were held by the War Department, at Gettysburg in Pennsylvania and at Monterey in California, for the military instruction of college undergraduates. The number of attendants at these camps was small, only 159 at Gettysburg and eighty-five at Monterey, but General Wood in his annual report declared himself satisfied with the result for the reason that the young men who had participated and had acquired some insight into our military needs "would undoubtedly become nuclei of information in the student bodies of the various universities represented." ³

Meanwhile our relations with Mexico continued to grow more troubled. Those were the days of the Huerta regime,

² War Department, "Annual Report," 1912; Vol. 1, p. 126.

³ War Department, "Annual Report," 1913; Vol. 1, p. 191.

and of the special missions of John Lind and William Bayard Hale, when it seemed at times that the decision between peace and war hung by a thread. In November, 1913, a battle-ship squadron was sent to Vera Cruz, additional troops were moved to the border, and there were rumors that the National Guard would be called out. In the same month applications for enlistment in the Regular Army jumped to the unprecedented figure of 5000, 2000 more than ever before in time of peace, showing the interest that was alive among the people. Secretary Garrison had made a two months' inspection tour of the army during the summer, and his proposals for reform and reorganization were followed with interest. Meanwhile the Infantry Association gave out an interview with Senator George D. Chamberlain, in which the chairman of the Senate Committee on Military Affairs expressed himself as follows:

As long as we maintain the Monroe Doctrine, retain the Philippines, control the Panama Canal, and dominate the Pacific, which is our manifest destiny, we must have an army adequate to care for these conditions and emergencies. There has been a great deal of general discussion as to the necessity of better preparation for sudden war emergencies, and there seems to be a quite unanimous opinion that at present our army is wholly inadequate. I am heartily in favor of such changes and improvements in the army as will meet existing conditions. We ought not to leave ourselves in an attitude where we fear the possibility of invasion by Japan on the Pacific coast, or by any other foreign country on our Atlantic coast, nor in apprehension as to what might happen to our troops in case of intervention in Mexico because the army is inadequate for emergencies. Little attention has been given to National defense until the acute situation in Mexico has brought home to us the unprepared state of the nation to face a sudden war. If there should not be a peaceful termination of the Mexican trouble, temporary war measures and makeshifts would have to be adopted, as has been the case at the beginning of every other war in this country, all of which have been disastrous and expensive on account of their experimental character.⁴

The upshot of this public interest was increased attention to military affairs on the part of Congress. A bill was passed

⁴ "New York Times," September 16, 1913; p. 16, column 2.

in the House which made radical alterations in the provisions for raising volunteers in the event of an emergency. Another bill was prepared by the War Department providing for important changes in the relation of the organized militia of the States to the Federal Government and the Regular Army. While Congress was still considering these measures there occurred the "Tampico incident." On April 20, 1914, President Wilson went before Congress and requested authority to employ the armed forces of the United States against Mexico. Under this influence, the Senate on the same day passed the Volunteer Army Bill, referred to above as having passed the House some months before. The entire Atlantic fleet was sent with a force of marines to Vera Cruz, and several days later the Fifth Infantry Brigade, under General Funston, followed to reinforce them. The country was put on the alert. The State governments made plans for mobilizing the National Guard in case its services should be needed. It required strong effort by the President to convince public opinion that actual war was not at hand. Throughout the summer the troops remained at Vera Cruz and the situation continued tense. Then at the beginning of August came the outbreak of the war in Europe. The resistless march of the German army through Belgium commanded the attention of every breakfast table, and people who had never before given the slightest attention to military matters traced on maps and charts the movements of the French army which ultimately ended in the providential victory of the Marne. In such a state of the public mind, the question of our own preparedness for war could not fail to come dominantly home to the minds of men everywhere. On December 2 the National Security League was formed, and an organized campaign for preparedness was on.

3

It is desirable to begin this book by reviewing our military situation as it stood at the end of 1914 and stating the reasons

why it was generally felt that that situation left so much to be desired.

The traditional policy of our Government had developed three sources of man-power on which to rely in time of war:

1. The Regular Army.
2. The National Guard, or organized militia of the several States.
3. A volunteer army created *de novo* to meet each particular emergency when it arose.

To this system, thus constituted, there were two different classes of objections: (1) objections to defects in the existing elements of the system which impeded its proper or adequate functioning, even admitting that as a system it was basically sound; (2) objections to the system as a whole, based on the theory that it was fundamentally unsound and required radical reformation. Each of these classes of objections will be glanced at briefly in turn.

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By act of February 2, 1901,⁵ the maximum authorized strength of the Regular Army was fixed at 100,619 men. Within this limit the figure was slightly varied by executive action from year to year,⁶ and after making deductions for the Philippine scouts and the quartermaster and the hospital corps it stood at 89,573 on June 30, 1913.⁷ During the decade before the latter date, the actual strength of the army was always considerably below this authorized maximum. The following table shows actual strength for the year indicated: ⁸

⁵ 31 Statutes at Large; p. 748.

⁶ Authority was left in the executive to vary the size of the army within limits below the maximum; *ibid*.

⁷ War Department, "Annual Report," 1913; Vol. 1, p. 221.

⁸ Exclusive of the hospital corps, and the Philippine scouts, and the enlisted privates of the quartermaster corps. This table is made up from figures presented in the annual reports of the adjutant-general.

	Officers	Men
1905	3750	56,064
1907	3750	50,190
1908	4116	68,512
1909	4366	77,412
1910	4310	67,459
1911	4388	70,250
1912	4470	77,835
1913	4665	75,321
1914	4572	88,444
1915	4833	87,877

It thus appears that in 1915 there was approximately one regular soldier in the United States army for every 1150 inhabitants; at the same time it was pointed out that the figures for Great Britain were one for every 205; Germany, one for every 70; France, one for every 50; Russia, one for every 190; Japan, one for every 230. It must also be remembered that of the American troops actually under arms a large number were on duty in the Philippines, in Alaska, and in our other outlying possessions, and that consequently the number available for the defense of the continental United States proper or for service abroad was materially diminished.

So that the first main objection taken to the existing military system as an instrument of preparedness was the small size of the Regular Army; for it was to be expected that upon the regulars would fall the brunt of the fighting at the beginning of any war until the long process of organizing and equipping and training the volunteers had fitted the latter for effective service. Military opinion tended to the belief that it was mainly owing to the large proportion of regulars employed in our war with Spain that the war had terminated as successfully as it did; and for a sudden war, unexpectedly begun and carried to a rapid conclusion as modern wars are apt to be, it was argued that a greatly increased Regular Army was indispensable.

As to the proper size for such an army, opinions differed widely, ranging all the way from the army of 500,000 recom-

mended in the plan of the War College published in 1912 and mentioned earlier in this chapter,⁹ down to the 115,000 advocated by the "Infantry Journal" in November, 1913.¹⁰ Mr. Huidekoper's estimate of 250,000 represents an intermediate view.¹¹ The last-mentioned estimate was for the actual peacetime strength of the regular establishment to be kept at all times under arms and in readiness for an emergency. This suggests at once the second principal defect which was felt to exist in connection with the Regular Army—the absence of any adequate provision for the creation and maintenance of a reserve.

This point came dominantly to the front at the time of the mobilization of 1911 on the Texas border, which has already been referred to as supplying the initial impetus for subsequent interest in preparedness. It has been the practice in the American army to maintain the various units of the Regular Army in times of peace at considerably less than half of their full wartime strength. The result as it stood out from the experience of the Texas mobilization is thus described in the report of the chief of staff:

As the regiments were at peace strength when first assembled, the division was only a little over half the strength of a war division. To have brought this division up to war strength would have required the addition to the regiments of an excessive number of recruits, and unless a considerable period had been available to instruct and discipline this new personnel, the result would have been disastrous to the efficiency of the regular organizations. The mobilization has emphasized the fact that our regiments in peace should be kept at greater

⁹ "In the light of present-day conditions it is estimated that at the outbreak of war with a first-class power we should be capable of mobilizing at once in the United States an effective force of 460,000 mobile troops and 42,000 coast artillery; that this is the minimum of first-line troops necessary; and that to augment this force and replace its losses we should have plans made for raising immediately an additional force of 300,000 men." War Department, "Annual Report," 1912; Vol. 1, p. 126.

¹⁰ "New York Times," November 3, 1913; p. 6, column 5.

¹¹ "Military Unpreparedness of the United States,"; p. 536.

strength and it has also brought out very forcibly the necessity for a reserve with which to bring the regiments from mere peace strength to full war strength.¹²

This lack of a proper supply of reserves had been present in the minds of army officers and students of military affairs ever since our experience in the Spanish War, and the events of 1911 convinced the War Department that the time had come to provide a remedy. An effort in this direction was accordingly made in the Army Appropriation Act for 1912.¹³ Following the example of foreign countries,¹⁴ it was felt that the most promising way of solving this problem was to alter the terms of the enlistment contract in such a way as to provide that a portion of every soldier's enlistment period should be spent with the reserves in addition to the period spent with the colors. Accordingly, the act in question changed the term of enlistment from the former term of three years, all of which was spent with the colors, to an enlistment term of seven years, four of which were to be spent with the colors and three in the reserve. In addition there was a provision permitting a soldier to apply voluntarily for transfer to the reserve at any time after three years with the colors. Commenting on this legislation, Secretary Stimson wrote in his next annual report:

It has been our historical policy in the past to keep the regiments of the Regular Army in time of peace at only about half the strength in enlisted men required for its complement of officers. At the same time there is no provision made by law for filling the ranks of these regiments in case of war. When the Spanish War broke out, the efficiency of many regiments was greatly injured by throwing into them a large number of perfectly raw recruits, and in order to fill the ranks of other regiments it was necessary to consolidate two regiments into one. Such a system postulates the development of a reserve force

¹² Report of chief of staff, War Department, "Annual Report," 1911; Vol. 1. pp. 156-157.

¹³ 37 Statutes at Large; p. 569, Section 2, p. 590.

¹⁴ See e. g., the "Life of H. O. Arnold-Foster," by his wife, pp. 238-239, for English attempts to deal with problem of creating a reserve.

of trained soldiers which, on the outbreak of war, can be called back from their civil occupations to bring our army up to its full strength and keep its ranks full during the inevitable losses of the first engagements. A reserve system is in effect in the armies of practically all nations of the civilized world except our own.

Mr. Stimson then outlined the provisions of the act of 1912 and went on to say:

While the reserve created by this bill is far from perfect, it is in my opinion a long step in the right direction. The most serious defect in my opinion is that it creates too long a period of service with the colors. I believe that our experience, and the experience of nations in Europe, has shown that the soldier can be adequately trained for his duties in considerably less than three years. Thereafter economy demands that he should be transferred to the reserve as promptly as possible. I think our experience will gradually lead to a shortening of the period of training with the colors, and that by so doing we will greatly improve the character of the young men who will come into the army, while in no way diminishing the effectiveness of their military training.¹⁵

Secretary Stimson's doubts as to the effectiveness of the provisions of the new legislation were more than borne out by the results. The adjutant-general reported that "approximately 21,000 men enlisted in the army between November 1, 1912, and August 31, 1913, and of this number sixty-one made application to be furloughed to the reserve at the expiration of three years of service, while on the date last named the reserve consisted of eight men."¹⁶ One year later the situation remained substantially the same. In his report for 1914 Secretary Garrison wrote: "We have a reserve—that is, men who have been trained in the army, and under the terms of their enlistment contract are subject to be called back to the colors in time of war—consisting of sixteen men."¹⁷

¹⁵ War Department, "Annual Report," 1912; Vol. 1, pp. 16–17. For a more elaborate criticism, see report of the chief of staff, War Department, "Annual Report," 1913; Vol. 1, pp. 150 ff.

¹⁶ Secretary Garrison in War Department, "Annual Report," 1913; Vol. 1, p. 22.

¹⁷ War Department, "Annual Report," 1914; Vol. 1, p. 8.

The question of the most effective method of building up a really adequate reserve force occupied much of Mr. Garrison's attention during his tour of inspection of the army posts in 1913, and the results of his observations were published in an interview in the "New York Times."¹⁸ Mr. Garrison had been led to conclude that the best interests of the army would be served by having an enlistment term of three years, with an arrangement by which if a young man desired to return to civil life he could do so by passing an examination on military work and study. It was the secretary's idea to allow enlisted men to come up for these examinations for discharge at the end of twelve, eighteen, twenty-four, and thirty months of service. This would add, he thought, a large number of competent young men to the reserve military strength of the country in a few years. He thought it would also draw into the army the sons of people of the better classes with more than ordinary education, give them a year or so of military training, and send them back to civil life in plenty of time to continue their education and enter their professions, taking with them a good physical training and a capacity for executive work. These suggestions were never embodied in legislation, and Congress permitted the entire matter to rest in abeyance throughout the years 1914 and 1915.

In addition to the problem of building up a reserve force of troops, there remained the equally vital matter of providing a reserve supply of officers. As General Leonard Wood put it at the time: "I invite attention to the necessity for building up with as little delay as practicable a reserve of officers qualified to serve as company officers of reserves or volunteers. If we were called upon to mobilize to meet a first-class power, we should require immediately several thousand officers; where should we get them? This is a matter of vital importance, and one which should be attended to at once and not left to

¹⁸ "New York Times," September 16, 1913; p. 6, column 4. On June 1, 1915, the reserve amounted to seventeen men: Huidekoper, *op. cit.*; p. 515.

the rush, hurry, and confusion preceding a war.”¹⁹ It was with the idea of filling this need that the summer training camps at Gettysburg and Monterey were established, which have been referred to. (See above, p. 6)

5

The second source of military strength contemplated by our traditional policy was the organized militia of the States. The subject of the militia of the States was deemed of sufficient importance by the founders of our government to have two clauses of the Federal Constitution devoted to it. These clauses are as follows: “The Congress shall have power to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions; to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States; reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.”²⁰

In order to understand these provisions it must be observed that in its original conception the militia was primarily a local State force for State purposes, but a State force which, when need arose, could be called into the service of the Federal Government, and over which, for that reason, the Federal Government was given certain limited powers of direction and control. These limitations imposed by the Constitution have been criticized as operating throughout our history against the effectiveness of the militia as an element in the military strength of the nation as a whole. Thus while Congress may provide for organizing and arming the militia, and may prescribe the discipline for training them, their actual training according to the discipline so prescribed is not vested in the National Government, but is reserved to the State authorities. Furthermore, the latter are given the power to appoint the militia

¹⁹ War Department, “Annual Report,” 1913; Vol. 1, p. 151.

²⁰ Article I, Section 8, clauses 15 and 16.

officers; and, most important of all, the militia can not be legally employed outside of the confines of the United States. Thus the militia have owed a sort of double allegiance to two separate sets of authorities, the boundaries between which have remained ill defined, and this separation of authority has thrown obstacles in the way of welding them into a uniform, organized, and effective force for purposes of united national action.

In the period of wide-spread army reform which marked Secretary Root's term of office as secretary of war after the conclusion of the Spanish War, Congress took up the subject of the militia, and undertook to reform its organization to the fullest extent possible within the constitutional limitations. The result was the legislation known as the Dick Act, signed by President Roosevelt on January 21, 1903.²¹ The principal object of this act was to bring up the organization, equipment, and discipline of the militia to the same standard as that of the Regular Army. For this purpose the act provided for the issuance of arms, ammunition, and other military supplies to the militia by the Federal Government; it directed regular inspection of the militia by officers of the United States army, detailed for that service by the secretary of war; it provided for the participation by the militia in joint manœuvres with detachments of the Regular Army; it required the militia to go through a definite amount of training of a prescribed character every year; and it provided that Regular Army officers might be detailed for service in connection with such training.

Steps were at once taken to carry out the provisions of the act. During 1904 the first of a series of joint manœuvres were held in which the Regular Army and militia participated together; and more than 100,000 rifles were issued to the State troops together with ammunition and artillery equipment to take the place of the obsolete equipment which they had been using. The joint manœuvres were repeated in subsequent years and became a settled feature of the army's program. On

²¹ 32 Statutes at Large; p. 775.

the whole, so satisfactory did the results of the new policy appear to be at the outset that in 1905 Secretary Taft reported that "with few exceptions the militia now conforms to the organization of the Regular Army as far as practicable. While much remains to be accomplished as to organization, supply, discipline, and training of the militia before there will be anything like uniformity or a high average of efficiency, a general improvement was shown over conditions prevailing the year before, and continued improvement is confidently expected in consequence of the interest and pride exhibited generally by the State authorities."²²

In 1906 Congress passed an act appropriating a sum of two million dollars annually for the purpose of providing arms, stores, and equipment for the militia. This equipment was to remain the property of the United States and to be annually accounted for by the States receiving it; and no State was to participate in the appropriation unless the number of its militia was at least one hundred men for each senator and representative.²³

In 1908 there was an overhauling of the Dick Act in the light of the five years' experience which had accrued since its passage, and the result was the act of May 27, 1908,²⁴ which governed the organization of the militia from that date forward until 1916. Most of the changes brought about by the new act were in matters of detail and administration, but a number of them were of major importance. Thus the Dick Act had provided that the militia should not be called into the service of the Federal Government for a longer period than nine months; the new law enacted that "whenever the President calls the organized militia to be employed in the service of the United States he may specify in his call the period for which such service is required, and the militia so called shall continue to serve within the term so specified." The actual effectiveness

²² War Department, "Annual Report," 1905; Vol. 1, pp. 34-36.

²³ 34 Statutes at Large; p. 449.

²⁴ 35 Statutes at Large; pp. 399-403.

of this enactment was greatly lessened, however, by the proviso that no member of the militia should be held to service beyond the term of his existing enlistment.²⁵ So with the provision that "on and after January 21, 1910, the organization, armament, and discipline of the organized militia shall be the same as that which is now and may hereafter be prescribed for the Regular Army of the United States";²⁶ a provision for enforcing which no means whatever were supplied. Lastly the act undertook to provide that the militia when called into the Federal service by the President should serve either within or without the territory of the United States.²⁷ This enactment, however desirable from the point of view of sound military policy, was palpably unconstitutional and was accordingly so pronounced by Attorney-General Wickersham when it came to be passed upon.²⁸

Coincident with the passage of the Act of May 27, 1908, two other measures were taken, looking toward promotion of greater effectiveness in the militia. The first of these was the creation of a national militia board, consisting of five officers of the organized militia appointed for a term of four years by the secretary of war and selected so as to represent so far as possible all sections of the United States. This board was to be called together from time to time in the discretion of the secretary of war for consultation respecting the condition, status, and needs of the whole body of the organized militia. The second innovation was the formation in the War Department of a division of militia affairs,²⁹ charged with the superintendence of the militia and particularly with its coördination with the Regular Army. This bureau afforded a means of keeping a closer watch than had before been possible over the

²⁵ Section 5.

²⁶ Section 3.

²⁷ Section 5.

²⁸ Opinion of the attorney-general in a letter to Secretary of War Stimson, printed in War Department, "Annual Report," 1912; Vol. 1, p. 147.

²⁹ Organized as part of the general staff.

strength and organization of the militia, and its annual reports show the total strength of the militia forces in subsequent years to have been as follows:

	Officers	Men	Total
1909	....	.....	118,926
1910	9155	110,505	119,660
1911	....	.....	117,988
1912	9142	112,210	121,352
1913	9110	111,162	120,273
1914	8323	119,087	127,410

More elaborate plans were set on foot. In 1910, Secretary Dickinson reported: "The year has been notable in so far as the organized militia is concerned by the publication of a War Department order which, with the approval of the authorities of certain States, established a paper organization of combined regular and militia troops, organized into three military divisions, constituting a field army. This is an initial movement which looks ultimately toward providing a similar combination of regular and militia troops for the whole country suitable for mobilization for field operations in case of war."³⁰ The idea was that the United States should be divided into a number of territorial and tactical districts so that the organized militia of the States comprising such districts might be conveniently combined with the Regular Army stationed therein, into permanent brigades, divisions, and corps for instruction and tactical organization. "These various troops, both regular and militia, gathered together, should be permanently designated in name and organization with all the attendant systems which would be in existence in time of war. It is proposed to submit such a plan of organization to the governors of the States, asking their assent thereto, as all this system, so far as the National Guard is concerned, must be voluntary. Upon receiving such assent from the governor, the War Department will designate in each district the exact organization, assigning the

³⁰ War Department, "Annual Report," 1910; Vol. 1, p. 50.

various branches of the service to their proper brigades or divisions. While this will necessarily result in an incomplete organization, as there will be lacking in all branches certain organizations both in the Regular Army and in the militia, still it will be the first step toward carrying out this proposed creation. There is a shortage of various militia organizations to complete the proposed corps. In order to obtain these necessary organizations, the various States should be urged to add to their National Guard such organizations as would be required in such district.”³¹

This ambitious scheme was never carried into actual operation, and was supplanted in 1913 by another, based on proposals put forward in the report of the War College in 1912 on the “Organization of Land Forces.” The new scheme contemplated the formation within the United States of sixteen divisions at full war strength, of which four were to be supplied by the Regular Army and twelve by the National Guard. “The coöperation of the governors of the several States having been secured, a plan for the organization of the entire organized militia into military divisions has been initiated,” wrote Secretary Garrison. “It remains now for the organized militia to complete their organizations both in number and in strength, so as to render these divisions such in fact as well as in name. The War Department has issued instructions calling for compliance with the militia law in the matter of organization. Proper organization of the organized militia is to be counted on as a dependable military Federal asset in time of national need, and the organizations existing as such in name only will be required to complete their component elements or lose Federal recognition of their character as such organizations.”³²

The governors of most of the States assented to the new scheme, but with two exceptions little was ever done toward carrying it out. The exceptions were the States of New York

³¹ War Department, “Annual Report,” 1909; Vol. 1, pp. 29-31.

³² War Department, “Annual Report,” 1913; Vol. 1, pp. 31-32.

and Pennsylvania, each of which was able to supply a virtually complete division made up of its State militia.³³

Meanwhile, as was bound to be the case, a certain amount of friction had developed between the War Department and certain elements in the National Guard. A National Guard convention was held at Chicago in October, 1913, which was attended by the commissioned personnel of the division of militia affairs, and many addresses were made by National Guardsmen voicing disagreement with the War Department's policy toward the militia. Situations had arisen in some of the States which aggravated this feeling. Thus the militia inspector for Arkansas reported that \$54,000 worth of equipment lent by the Government to the Arkansas National Guard had disappeared, and no action having been taken by the State government within a year to make good the loss, the governor of Arkansas was summarily notified by the War Department that no further aid would be furnished by the Federal Government to the militia of that State.³⁴ The total value of similar property shortages in nineteen States amounted to more than \$800,000.³⁵ The whole matter came to a head in connection with the Militia Pay Bill which was prepared under the supervision of Secretary Garrison for submission to Congress during the winter of 1913-14. The feeling which existed in many quarters was reflected in an editorial in the "New York Times." "The object of the Dick Act," ran this editorial, "was to develop the militia into a reserve force which might be serviceable to the country in time of trouble. After five years, however, the States have not generally complied with the requirements of the Federal law. The War Department intimates that if the Dick Law is not complied with, the Federal financial support of the militia will be withdrawn." ³⁶

³³ Huidekoper, *op. cit.*; p. 501.

³⁴ "New York Times"; November 4, 1913, p. 8, column 7.

³⁵ War Department, "Annual Report," 1913; Vol. I, p. 173.

³⁶ Between 1903 and 1917 the Federal Government disbursed \$53,000,000 to the militia. War Department, "Annual Report," 1917; Vol. I, p. 853.

The Militia Pay Bill, just referred to, was prepared under the supervision of Secretary Garrison by the division of militia affairs of the War Department acting in consultation with the adjutants-general of thirty-two States.^{36a} It contemplated providing Federal pay for the enlisted men of the National Guard in time of peace, each enlisted man being paid one dollar for every drill attended, and the officers receiving a smaller sum. The pay was to be disbursed through the medium of the State governments. But the act had a broader scope. It was designed to convert the State militia into a force available for the use of the Federal Government abroad as well as for home defense. To escape the requirement of the Constitution that members of the State militia should not be called for service outside of the United States, it was provided that those who enlisted in the militia should take two oaths, one covering service with the States, the other service abroad for the Federal Government. Thus the National Guard could be called into service at once upon the outbreak of a war, taking their place in the national army, not as State militia but as volunteer troops. This proposal contained the germs of more important subsequent legislation. The bill itself was side-tracked for the time being in the excitement created by the Tampico incident, and the entire matter of militia organization remained in the unsatisfactory position where it was left by the failure of the policy of the Dick Act to achieve expected results.

6

The third supply of troops contemplated in our traditional policy was an army of volunteers to be raised by special measures on the actual outbreak of an emergency. The manner in which this policy operated in practice is shown by the example of the Spanish War. The Congressional resolution which

^{36a} Various proposals for Federal pay for the militia had been placed before Congress in 1912 by Secretary Stimson and others. War Department, "Annual Report," 1912; Vol. 1, pp. 26, 150.

amounted to a declaration of war was adopted on April 19, 1898. Three days later Congress passed an act³⁷ empowering the President to issue a call for volunteers. This act began with a declaratory provision that "all able-bodied male citizens of the United States and persons of foreign birth who shall have declared their intention to become citizens of the United States are hereby declared to constitute the national forces, and, with such exceptions and under such conditions as may be prescribed by law, shall be liable to perform military duty in the service of the United States." The act then went on to authorize the President to raise a Volunteer Army to be maintained for the period of the war only; the term of enlistment was fixed at two years unless the war should sooner end; and it was provided that so far as practicable volunteers should be recruited from the various States in proportion to their population. All regimental and company officers were to be appointed by the governors of the States in which their respective organizations were raised.

It was under the terms of this act that the 220,000 or more volunteers were raised who, together with some 60,000 regulars, formed our army in the Spanish War. Two provisions of the act in particular gave rise to trouble and difficulty. The first of these was the provision fixing a definite term of enlistment, and a short term at that. The Spanish War was a short war; but, even so, it was found necessary to retain volunteers in the Philippines beyond the legal term of their service in order that the islands might not be wholly denuded of troops in the interval before the arrival of fresh forces. The error in policy which stands out in this instance is important because it has characterized almost every similar measure adopted at other like crises in our history. As one writer has expressed it:

The policy of the United States with respect to the length of enlistments has uniformly been the incarnation of folly. Rare have been the occasions when they have not been for too short a term of service,

³⁷ 30 Statutes at Large; p. 361.

and seldom has Congress displayed the wisdom of taking advantage of the enthusiasm at the beginning of hostilities to prescribe that all enlistments shall be for the war. As a result of this failure troops which after long periods of training have developed into dependable forces have had to be discharged. The War Department has had to resort to innumerable shifts to extricate itself from the difficulties into which it was plunged by approaching or actual expiration of enlistments, and more than once our national destinies have been imperiled by the depletion of armies from this cause at the very time when troops were most imperatively needed.³⁸

The second objection to which the Volunteer Act of 1898 was open was in connection with its provision for the appointment of officers in the Volunteer Army by the governors of the States. This provision was undoubtedly due largely to tradition. But the tradition has not been a happy one and has met with general disapproval at the hands of expert observers who have criticized it in the light of its results.

A not unexpected deduction from our experiences in the Mexican and Civil Wars was that the efficiency of American volunteers was to be measured directly by the previous training, professional zeal, and soldierly discipline of their officers. The enlisted personnel has ever been of splendid natural quality, but trained officers have by no means been numerous. The Spanish War was no exception in this respect, because the same obsolete system of selection of officers (by the State authorities) was followed as in former wars, and naturally the same results followed. Such a method of selection was justified at the outbreak of the Civil War on the ground that volunteers were militia and by the Constitution the appointments were reserved to the States. That volunteers are not militia has now long been held. But both in the Civil and Spanish Wars the main reason for following the old system appears to have been that no better system had ever been carefully thought out which was acceptable to the States. In such emergencies as follow a declaration of war there is no time for new systems to be prepared. State patronage demands the appointment of officers regardless of qualifications, and so urgent are the necessity and straits of the National Government in such crises for the rapid mobilization of troops that all other considerations give way to it.³⁹

³⁸ Huidekoper, *op. cit.*: p. 269.

³⁹ "Journal of the Military Service Institute," March-April, 1905; pp. 190-191.

Reference has already been made to the Volunteer Army Bill enacted into law on April 25, 1914, under the pressure of the Tampico emergency.⁴⁰ This act superseded the act of April 22, 1898 as the fundamental law governing the raising of a Volunteer Army and was intended to remedy the defects of previous legislation. This it did in some important particulars. Thus an alteration was made in the term of enlistment of volunteers. The new arrangement was that these troops should be enlisted for the same period as enlisted men in the Regular Army, provided, however, that the volunteers might be mustered out upon the termination of the emergency for which they had been called. Further, all officers of volunteers were to be appointed by the President, and not, as under previous acts, by the State authorities; and no volunteer officer was to be appointed above the grade of colonel. Provision was made as in the act of 1898 for converting units of organized militia into volunteer organizations so as to put them completely at the disposal of the National Government as units, and for this purpose it was enacted that whenever three-fourths of the minimum enlisted strength of a militia organization should volunteer, the organization might be incorporated as a unit in the volunteer forces. In this connection an effort was made to remedy a flagrant defect of the Militia Act of 1908. The latter had provided "that when the military needs of the Federal Government, arising from the necessity to execute the laws of the Union, to suppress insurrection, or to repel invasion, cannot be met by the regular forces, the organized militia shall be called into the service of the United States in advance of any volunteer force which it may be determined to raise."⁴¹ This provision was modified by the new act in such a way as to provide that "when the raising of a volunteer force shall have been authorized by Congress and after the organized land militia of any arm or class shall have been called into the military service of the United States, volunteers of that particular

⁴⁰ 38 Statutes at Large; p. 347.

⁴¹ 35 Statutes at Large; p. 396, Section 5.

arm or class may be raised and accepted into said service in accordance with the terms of this act regardless of the extent to which other arms or classes of said militia shall have been called into such service.”⁴² In short, whereas under the act of 1908 no volunteers at all could be summoned for purposes for which the militia was available until all the militia had been called into service, it was now possible to summon volunteers into one branch of the service where they were needed, although militia organizations belonging to the other branches of the service which were not needed had not yet been called. The amendment by no means went as far as it should have gone, but it was a step in the right direction. The act also effected a number of desirable alterations in the rules covering such matters as recruiting, promotions, and the relation between commissions in the Regular Army and commissions as officers of volunteers.

7

This brief review of legislation and governmental policy affecting the Regular Army, the militia, and the raising of volunteers during the years between the Spanish War and the close of 1914 has indicated the main points of controversy and criticism. In the Regular Army, the depletion in time of peace of its various units, the lack of a reserve, and the deficiency of officers; in the militia organization, the restricted availability of State militia as such for National purposes, the limited control over it possible to the Federal Government, and the almost insuperable obstacles in the way of securing uniformity of action among forty-eight States; in the machinery for raising volunteers, the incubus of a bad tradition and the possibility of confusion and conflict between the status of militia and volunteers—these were the matters which were pointed to as obvious defects in the actual arrangements at hand for carrying out our traditional army policy, even admitting that in its main outlines that policy was a sound one.

⁴² Section 3.

But critics were not wanting who insisted on the broader proposition that the whole policy of a threefold dependence on Regular Army, State militia, and volunteers was in essence unsound. In the first place, under this policy, the ultimate dependence was bound to be placed upon volunteers. The figures for our Spanish War, quoted above, showing that 220,000 volunteers participated as against 60,000 regulars, illustrates the tendency. Professional military opinion inclined to the conclusion that this main dependence on raw and untrained troops, hastily got together and organized, was dangerous, expensive, and wasteful, and had been so proved by repeated experiences in our history. Such troops, it was said, did not even know how to live in camp properly, and to their ignorance in this respect was traced much of the illness, for instance, which lent such unpleasant notoriety to the Spanish War. Nor, as soldiers, could they become really effective and valuable until they had acquired some experience. Washington's words were quoted that "to bring men to a proper degree of discipline is not the work of a day, a month, or even a year," and were followed out to his conclusion that "regular troops alone are equal to the exigencies of modern war, as well for defense as offense; and whenever a substitute is attempted, it must prove illusory and ruinous. The firmness requisite for the real business of fighting is only to be attained by a constant course of discipline and service."⁴³ No matter how great the courage, self-reliance, and patriotism possessed by the American people as individuals, it was unreasonable to expect that these qualities without something more could suddenly transform them into soldiers capable of acting as organized troops in an hour of emergency; and the missing requisite was training, practice. In short, the basic defect which was felt in our existing policy of army building was, first, the crucially important rôle which it assigned to citizen soldiers, namely the volunteers; and, secondly, its failure to

⁴³ Letter to the president of Congress commenting on Gates's defeat at Camden, "Works of Washington," ed. Sparks; pp. 205-206.

provide such training as would secure an adequate supply of citizen soldiers competently trained and seasoned. The great flaw in the policy was not merely its failure to emphasize the value of training, but the fact that it virtually disregarded training altogether. As one critic put it: "The crux of the entire question lies in the efficiency of our militia and volunteers, which can only be gaged by their training. One of the best National Guards in the country is that of Pennsylvania, yet its actual training is confined to one week in camp and about seventy hours of drill *per annum*.. At the beginning of hostilities this militia would furnish as good volunteers as the United States could hope to obtain, and how long does any reasonable man suppose that these troops would stand against the regulars of France, Germany, or Japan? How much faith would the officials of any corporation place in an agent or employee where training is limited to one week and seventy hours of work a year? Yet our national legislature has persevered these many years in the delusion that an untrained citizen soldiery could not possibly jeopardize the destinies of the nation."⁴⁴

⁴⁴ Huidekoper, *op. cit.*; p. 284.

CHAPTER II

THE CONTINENTAL ARMY PLAN AND THE NATIONAL DEFENSE ACT

I

THE organized campaign to arouse public sentiment on the subject of American unpreparedness for war was one of the outstanding features of the year 1915. Carried on in newspapers and pamphlets and books, by speeches at banquets and addresses at public meetings, much of the effectiveness of the movement was due to the prominence and admitted public zeal of some of the leaders who put themselves at the head of it, as well as to the strong and effective organizations which were built up throughout the country to spread information and influence opinion. The object of the campaign was much broader than to effect a reform in our army system, though that constituted one of its important goals; it was to open up the whole subject of the nation's preparation for self-defense, the condition of the navy as well as of the army, the adequacy of our coast defenses, the stocks of ammunition on hand and the available sources of further supply, the efficiency of our artillery equipment as compared with that of other nations, and the necessity for the development of an air service. In accordance with this broad purpose, Congressman Gardner of Massachusetts, who was among the busiest advocates of preparedness, introduced in the House of Representatives a resolution calling for the appointment of a commission of inquiry to look into the whole subject of our national defenses. In support of his resolution he made an extended statement before the House Committee on Military Affairs in which he

charged a culpable failure on the part of the authorities to build up proper reserve supplies of ammunition, and to bring our artillery equipment into line with the most recent inventions.

An insight into some of the considerations affecting the public mind and responsible for public interest in the preparedness campaign may be gotten from the speeches made at the meeting in New York at which the National Security League was formed. A hundred and fifty or more gentlemen met at the Hotel Belmont and adopted a resolution approving the commission of inquiry proposed by Congressman Gardner. One of the speakers pictured the ease with which Germany, having defeated England and desiring to invade Canada by way of the Hudson valley, would treat this country as she had treated Belgium. "It is thus not only our own loss we should suffer, but it would be a breach of neutrality," he pointed out, "if we did not succeed in preventing such an expedition. It is our duty to be in a position to live up to our obligations of neutrality!" Another speaker alleged that the companies in our Regular Army had only sixty-five men as against their proper war-time complement of 150; that we had virtually no reserves; that we did not have ammunition enough for our field artillery to fight a single battle; that there was but one torpedo for each torpedo-tube in the navy; and that our defenses in the Philippines, Hawaii, and the Canal Zone were manned with only a fraction of their necessary strength. "We know that there are two nations," he concluded, "which could in two weeks land a force of 150,000 men each at a point on our coast, and a third which could land a force of that many men in four weeks. It would take us a month to mobilize 130,000 soldiers, and only 30,000 of these would be regulars and the rest half-trained men." The National Security League, which was organized at this meeting, was the largest and most active of the various organizations working for preparedness. The statement of its aims and purposes as given out to the

press by its president, S. Stanwood Menken, summarizes the point of view held by many advocates of preparedness:

The National Security League has been organized by citizens who are convinced that the United States is not adequately prepared for defense. We feel that the question is one of serious import. We want this movement to result in initiating an inquiry capable of developing a scientific research into the whole broad question. Recent history shows that the development of the great nations is due to applying modern methods of organization to carry out plans arrived at after their best minds have, by conference and investigation, pointed the way. It is time we people of the United States adopted this plan as to all our great questions. Haphazard government cannot keep a nation like ours to the fore in competition with others rising under the modern method.¹

2

Meanwhile a number of bills had been introduced in Congress at the instance of Secretary Garrison. One of these provided for the addition of 1000 officers to the Regular Army, so as to make possible the detailing of a sufficient number of Regular Army officers to the task of instructing the State militia and to other detached services without denuding the army itself of its proper complement of officers. Another bill provided for altering the period of the enlistment contract so as to supply a reserve. A third provided for increasing the statutory maximum of the Regular Army to 103,895 men² and for filling up the units to their maximum strength so as to bring the actual size of the army up to this figure.

These bills were introduced by Senator Chamberlain, who took occasion, however, in a letter to Secretary Garrison to call the latter's attention to the fact that what was really needed was a comprehensive bill providing a general scheme of army reform. This feeling was wide-spread, particularly in the army itself, where it was felt that the reform needed should be in the direction of increasing the size of the Regular

¹ "New York Times," December 7, 1914; p. 4, column 4.

² Not including the Philippine scouts.

Army. Thus an army of 200,000 was recommended in a report submitted to the secretary of war by a committee of general staff officers. A similar increase had been recommended by General Witherspoon, the retiring chief of staff, a short while previously. It was probably with these recommendations in mind that Senator Chamberlain announced to the Senate³ that he hoped in the following session to present legislation calling for a Regular Army of 250,000 men. The debate which this announcement instantly precipitated, and in particular, the speech of Senator Thomas of Colorado, is significant as representing another side of public opinion, which was being developed by the preparedness agitation as a sort of induced current of reaction. "He who seriously believes that war will come to us," said Senator Thomas, "indulges in idle chatter when he demands a standing army of 250,000 men and a reserve force of 500,000 and an occasional fort along our coast-line and three or four new battle-ships annually. Our national defense would require a fleet at least as powerful as those of Great Britain and France on the Atlantic and of Japan and Russia on the Pacific. We should have a standing army of 1,250,000 and a reserve of twice that many more. We should have a fleet upon the lakes and fortifications along our boundary and on our coast-lines wherever a landing force or a drive across the border could be made. We should keep in readiness of 200 aëroplanes, 250 dirigibles, 25,000 auto-trucks, and 10,000 motor-cycles; and we should make of the Almighty a tribal God."⁴

This traditional American reluctance to place our main reliance on a regular army of professional soldiers was shared by many who were anxious to see the country put into a better state of defense. Full expression had been given to

³ February 22, 1915. So reported in the newspapers. In the "Congressional Record," Sixty-Third Congress, Third Session; p. 4266, Senator Chamberlain is reported to have said 125,000 men.

⁴ "Congressional Record," Sixty-Third Congress, Third Session; p. 4268.

it by President Wilson himself in his annual message to Congress in December, 1914.

"From first to last," said the President, "we have had a clear and settled policy with regard to military establishments. We never have had, and while we retain our present principles and ideals we never shall have, a large standing army. If asked, 'Are you ready to defend yourselves?' we reply, 'Assuredly, to the utmost'; and yet we shall not turn America into a military camp. We will not ask our young men to spend the best years of their lives making soldiers of themselves. Let us remind ourselves, therefore, of the only thing we can do, or will do; we must depend in every time of national peril, in the future as in the past, not upon a standing army, nor yet upon a reserve army, but upon a citizenry trained and accustomed to arms. It will be right enough, right American policy, based upon our accustomed principles and practices, to provide a system by which every citizen who will volunteer for the training may be made familiar with the use of modern arms, the rudiments of drill and manœuver, and the maintenance and sanitation of camps. We should encourage such training and make it a means of discipline which our young men will learn to value. Every means by which such things can be stimulated is legitimate and such a method smacks of true American ideas. It is right, too, that the National Guard of the States should be developed and strengthened by every means which is not inconsistent with our obligations to our own people or with the established policy of our government. More than this carries with it a reversal of the whole history and character of our country."⁵

The emphasis of this passage is on two ideas — first, the idea of a citizen army, and second, the idea of training. Not a standing army of professional soldiers, but an army of citizens, as our main dependence in time of war; but not an army of citizens raw and wholly unused to arms, either, but

⁵ "New York Times," December 9, 1914; p. 6, column 4.

rather one fitted by practice and training to the task of defending home and country. This combination of ideas, presented in this form, commended itself to the more moderate opinion of the country. The idea took root, and many minds set about reasoning it toward some practical scheme of civic military training. In advocating a plan of intensive military training for college students, President Hibben of Princeton expressed the considerations lying behind this view:

There may seem to be only two extreme policies possible for us as a nation, one of aggressive militarism, and the other a policy of indifference and inaction, which naturally weakens our power of defense to such an extent as to leave us helpless before the invasion of a foreign foe. The first is a policy of untold possibilities of evil and disaster; the second a policy of culpable short-sightedness and blind complacency. I do not believe, however, that we must needs commit ourselves to one or the other of these two extremes. There are two ways in which a great people such as ours may prepare for the defense of their country. One is a concentration of military knowledge and experience in a large standing army, and the other is a diffusion of military knowledge and experience widely throughout the nation. What I would emphasize is the need of military strength without military display, a reserve power without the diminution of economic efficiency and the serious drain upon our resources which a large standing army necessitates. If we can obtain military knowledge and skill in a potential rather than actual form, we will avoid all the dangers of a self-sufficient and arrogant militarism. That which creates an aggressive war spirit is the elaboration of a war machine and the subordination of all other interests in the nation to it. Military strength, however, which is available but not visible, and therefore incapable of ostentatious display, will enable us to meet any critical emergency which may arise, and at the same time leave us free from domination by a military caste and a military policy. This plan of intensive training of our college men does not in any way tend to increase our standing army. It is on the contrary a most admirable method of decreasing it. Our actual strength in the field may be diminished in proportion to the increase of our potential strength in the growing military knowledge of our educated men.⁶

This conviction, that in a democratic country the only ultimately safe source of military strength is in the citizen

⁶ "Nassau Literary Magazine," January, 1915.

body itself, trained and disciplined for national defense, led to a keen interest in the policy which other countries as democratic as our own, notably Switzerland and Australia, had developed to meet the same problem. Attention was called to the fact that Australia, under her recently adopted system of universal military training, commences the training of her soldiers at the age of twelve. The work is begun in the organization known as the junior cadets and is carried on in connection with education in the public and private schools. At fourteen every boy is subjected to a physical examination, which eliminates about 10 per cent., and all who pass this examination are promoted to the senior cadets, serving with this organization until the age of eighteen. The senior cadets, who number about 100,000, are an auxiliary part of the army of the Commonwealth, and subject to call for any duty. The young soldiers are provided with a uniform and a light rifle; their instruction consists of marching, musketry, drill, first aid, and sentry duty. The annual course includes four whole days, twelve half days, and twenty-four night drills. At eighteen the senior cadet passes to the citizen forces, with which he serves until reaching the age of twenty-six. A severe physical examination eliminates about 35 per cent. The course during the first seven years of service consists of sixteen days of training annually, of which eight are spent in camp. For artillery and engineers, twenty-five days are required, seventeen of these being in camp. From this compulsory service certain classes of the population are exempted, including the physically unfit, persons living in sparsely settled parts of the country remote from a training place, and school-teachers engaged in the instruction of the junior cadets.

The Swiss system imposes a still more exacting duty on the citizen with a proportionately more thorough training. The constitution provides that every citizen is liable to military duty from the age of twenty to the age of forty-eight. Examinations are conducted for admittance to such duty, and

every citizen on reaching the age of twenty is required to submit to these. They are both physical and mental, the latter including arithmetic, history, and geography, and result ordinarily in the elimination of about 50 per cent. of the candidates. Those who have been rejected are required to pay a tax, graded according to their incomes, for the support of the army. The military service of those who pass the examinations is divided into three periods. Between the ages of twenty and thirty-two the citizen serves in the *élite*, or citizen army proper; from thirty-two to forty he serves with the *Landwehr* and from forty to forty-eight with the *Landsturm*. Recruits during their first year with the *élite* serve sixty-five days in the infantry, seventy-five days in the artillery, sixty-five days in the engineers, and ninety days in the cavalry. After the first year, soldiers in the *élite* are called out every other year for service lasting from eleven to fourteen days. During service in the *Landwehr* the soldier is called out but once for a training period of about two weeks. After passing to the *Landsturm* there is no further military service except in the event of war.⁷

Some such scheme as this for the military training of American citizens began to be advocated by many who were impressed with the need of preparedness and at the same time felt a democratic suspicion of the "militarism" involved in standing armies. General Leonard Wood, pointing out what he regarded as the failure of our traditional policy of volunteer armies raised on the spur of an emergency, definitely urged the adoption of the Swiss system, or something like it, by the United States.⁸ Others maintained that we were faced with the plain alternative of choosing between a standing army of vastly increased size and a citizen army raised by conscription. But the adoption of the latter alternative even to such a limited extent as involved in the Swiss or Australian

⁷ See Senate Document 796, Sixty-Third Congress, Third Session; also "The Case for Compulsory Military Service," by G. G. Coulton, London, 1917; Chapter XII.

⁸ "New York Times," April 16, 1915; p. 14, column 2. *Ibid*; July 25, 1915; Part VI, p. 3, column 1.

system still meant such a break with the whole trend of American policy and tradition as to be from a statesmanlike point of view impracticable. As Secretary Garrison put it:

In proposing a military policy to be adopted at this time, the first thing to do must be to agree upon a proper basis. The subject could theoretically be approached without regard to existing institutions and sentiments. Undoubtedly this method would result in proposals that would be sound from a military point of view and would theoretically approach perfection. The necessity of making such a system practicable, however, would require constitutional amendments, a reversal of existing institutions, and the changing of existing sentiments to such an extent as to make it a safe prediction that little if anything would be accomplished, and that only after the passage of a great length of time. The other method of approaching the subject is one which recognizes existing constitutional and legal provisions, existing institutions and the sentiments of the people in so far as they concern vital portions of the system. As between the two methods of approach, it seems so clearly the part of wisdom to choose the one last stated as not to require elaboration of reason. The essential, the imperative thing is to make such wise military preparations, and take such wise precautions as are presently possible; and this necessitates proceeding upon the basis of existing conditions and recognizing existing institutions and the feelings of the people concerning the general subject-matter.⁹

In short, as the reform felt to be needed was urgent, it would have to be made not by way of new departure and a clean-cut break with the past, but with the inherited American army policy as a background and basis. This was the line to which the new policy would have to be hewn. The problem, then, was so to readjust the old system as to yield the thing felt to be imperative—such military training, namely, for civilians as would make available an efficient citizen army to reinforce the Regular Army in the event of a sudden emergency. Whatever materials were at hand in the existing system for the accomplishment of this result would have to be seized and utilized. Now, the instrument which the existing system provided for the organization and training of a

⁹ War Department, "Annual Report," 1915; Vol. I, pp. 20-21.

citizen force was, as we have seen, the militia of the several States. The militia was thus the logical basis and starting-point for the elaboration of a new and more effective citizen army; and the problem presented itself of how the transition could most effectively be made. That the militia itself was not an effective citizen army, and by virtue of its constitutional position never could be converted into one, the experience of the Dick Act was felt by many to have proved. The case was put as follows in the "Statement of Military Policy" prepared by the War College and submitted to the secretary of war on September 11, 1915:

The minimum length of time of actual training considered necessary to prepare troops for war service is twelve months of 150 hours per month. Due to constitutional limitations Congress has not the power to fix and require such an amount of training for the Organized Militia. No force can be considered a portion of our first line whose control and training is so little subject to Federal authority in time of peace. No force should be considered a portion of our first line in war unless it be maintained fully organized and equipped in peace at practically war strength. This would exclude the Organized Militia from consideration for service in the first line because of the impossibility of giving in peace the training required for such function.¹⁰

Or, as another critic put it :

Under the Constitution, nothing can be changed with respect to militia or any forces which our courts shall deem essentially such. Therefore, the Federal Government should stop supporting militia and permit the States to support and control such forces as they wish. It will then probably be found that small forces similar to the Pennsylvania constabulary will be what they will find most suitable to their purposes. The Federal Government should then organize forces under its constitutional authority to raise and support armies. These forces should be under the absolute control of the Federal Government, and should be organized, trained, and given proper pay. They should be enlisted for a term of years, and called out for such annual training periods as may be found necessary. This enlistment period might be for seven years, with training of about four weeks for the first year and two weeks for subsequent years. This force should receive a distinctive and appropriate name, free from association with

¹⁰ War Department, "Annual Report," 1915; Vol. 1, p. 128.

our term militia. The name of "United States Reserve" has been proposed for such a force. The term of "Federal Guard" is suggested as appropriate and free from connection with the present militia or Regular Army.¹¹

In short, the idea was that for the existing militia, organized and controlled by the States, and in the last analysis subject to them, there ought to be substituted a sort of National Militia wholly under the control of the Federal Government. This was the plan which was adopted by Secretary Garrison as the basis of his long-expected recommendations on army reform, which after careful consideration during the summer were put forward in his annual report to the President on November 15, 1915. This report, containing the proposals which for the next few months were the center of a heated political discussion under the name of the Continental Army plan, is a document of first importance, not merely historically, but in connection with any consideration of national military policy in the future.

3

"If the determination arrived at by those whose knowledge, skill, and experience makes their judgment practically conclusive is accepted, we should have in this country a force of at least 500,000 ¹² men ready for instant response to a call in the event of war," wrote Secretary Garrison. "It is surely not necessary to state the many reasons why this force may not be supplied by a regular standing army of that number constantly under arms. It is equally impracticable that this force should consist of the National Guard expanded to that number. There is no legal way that the National Guard can in time of peace be governed, officered, or trained by the National Government;

¹¹ Colonel E. E. Hatch in "New York Times," March 25, 1915; Part V, p. 9, column 1.

¹² The number recommended in the "Statement of Proper Military Policy" prepared by the War College division of the general staff, submitted September 11, 1915. War Department, "Annual Report," 1915; Vol. 1, p. 129.

and there is no legal way, except by volunteering, that it can be made available to the nation in time of war to any greater extent than specified in the Constitution, which confessedly falls short of the necessary uses to which an army may have to be put in the event of a war with a foreign nation.

"It becomes necessary, therefore, to devise some method of making available for the use of the nation in time of war a national force in supplement of the Regular Army; a supplementary force, in other words, to be raised and maintained by Congress, and governed in all respects in accordance with its directions. . . . ¹³

"It is proposed to supplement the army that is constantly under arms by a force of 400,000 men raised in increments of 133,000 a year, obligated to devote a specified time to training for a period of three years, and then to be on furlough for a period of three years without obligation excepting to return to the colors in the event of war or the imminence thereof. For the purpose of convenience this force has been designated the Continental Army. It is proposed to recruit it territorially according to population; to have it subjected to short periods of intensive training; and in addition to what officers may be developed from its own operation, to obtain officers for it from those who have served in the National Guard, those who have served in the United States Army and are no longer upon its active list, and those who by training acquired in colleges and schools or in other ways have become equipped with sufficient military information and experience to make them available. It is the purpose to have the membership of this force assembled at convenient places and have there such portions of the Regular Army to assist in their training as are desirable and to have all the benefit which can be obtained from intensive training over such a period of time as is possible. For the purposes of the necessary figuring upon costs, etc., as well as for military reasons, the period proposed is two months. It is recognized,

¹³ War Department, "Annual Report," 1915; Vol. 1, pp. 22-23.

however, that with respect to this period of training and other features of the plan, a final wise determination can only be reached after the fullest interchange of views between those who collectively represent the wisdom, experience, and knowledge to determine these matters properly. With respect to pay, it is proposed that the officers and men shall receive pay on the same basis as the Regular Army for the time actually occupied.

“With respect to the National Guard, it is proposed not only to continue the existing assistance rendered by the Federal Government, but to increase it. . . . This body has a clearly defined and important part in the military system of the country, and it is proposed in the plan advocated to amplify the Federal assistance in every way that it can be done constitutionally so as to make this force efficient for the purpose set forth in the Constitution and for the further purpose for which it is available in the event of war if it volunteers for Federal service. . . . From this outline of the policy proposed it will be observed that it has been framed in view of existing legal and other conditions. It provides for a standing army of minimum size to perform the necessary functions of such a force, including the very important one of training the other military forces. It provides a supplement to that army into which the citizens of the country who realize the necessity of patriotic action can go with a minimum of sacrifice. It continues available for all its legal purposes the National Guard, and provides for increasing coöperation therewith. It offers opportunity to the three great classes of the community that are considered available for military purposes in so far as training and preparation in time of peace are concerned; namely, those who will undertake regular service, being constantly under arms; those who desire to prepare themselves, but cannot take such preparations in intensive periods; and those who are so circumstanced that intensive training best meets their conditions.”¹⁴

¹⁴ *Ibid.*; pp. 25-27

Turning to consider the possible objections that might be urged against these proposals, Secretary Garrison first addressed himself to those who considered that the needs of national defense would be satisfied by nothing short of a permanent standing army of 400,000 or 500,000 men, and pointed out that such an army was impracticable on the score of cost and of the available barrack accommodations, if for no other reasons. "Those who continue to advocate an overweighted establishment after the facts have been stated lay themselves open to the suspicion of being impractical if not insincere. Similar considerations arise with respect to the present adoption or adaptation of the so-called Swiss system or the so-called Australian system. Whatever degree of excellence may be ascribed to either or both of said systems as applied to and operated in their respective spheres, it must be recognized that our present conditions differ radically therefrom. Each of said systems requires compulsory service, and starts in the public schools; each calls for a large number of local officials whose conduct is controlled by the central authority. The Federal Government has no constitutional power to legislate with respect to the public school system of the States; it has no officials itself whose duties would permit them to do the things required to be done, and no power or right to require the State or local officials to do the same. Each locality would have to have a complete corps of such officials; and when the number and location of our public schools throughout the country are considered, some idea will be obtained of the magnitude of the task. These officials, under our system of government, would have to be Federal officials unless the Constitution were radically altered. In communities where the service of local mayors and other local officials can be utilized by the central government, things are possible which are not possible or practicable under our system of government. Enough has been said to demonstrate that to get something done now — something that is well worth while — the best course is to recognize and operate under exist-

ing conditions. The other course is to imagine a vain thing and accomplish nothing.”¹⁵

The general idea of this Continental Army plan of Secretary Garrison's at once met with wide acceptance. It was endorsed, for example, by the National Security League and in its main outlines by former Secretaries Root and Stimson. But opposition developed to it, as might have been expected, from two separate quarters. On the one hand there were those who felt that it did not go far enough. Among these the most prominent was Colonel Roosevelt, who called the plan “all wrong” and in the columns of the “Metropolitan Magazine” and in many public addresses carried on an emphatic campaign against it. On the other hand many others thought that the plan went very much too far. This group included some of the most influential members of the Democratic party in both houses of Congress. Representative Claude Kitchin, for example, the Democratic floor-leader in the House of Representatives, announced his opposition at the outset. On January 11, after Secretary Garrison had explained his proposals in detail before the House Committee on Military Affairs, Chairman Hay of that committee took the same position. The opposition of men like Representatives Hay and Kitchin was fortified by the development about this time of a concerted campaign to carry forward army reform in a different direction from that proposed by Mr. Garrison. The gist of this other plan was to provide for “nationalizing” or “federalizing” the State militia along the lines of the Militia Pay Bill proposed two years before. The idea was that while the Dick Act had admittedly failed, it had failed not because of its fundamental policy, but because that policy had not been embodied with enough thoroughness in the detailed provisions of the legislation which had been enacted; and that by extending the same policy, and providing against the mistakes which had been revealed by experience, it was still possible that the country could be furnished with an adequate citizen soldiery without building up

¹⁵ *Ibid.*; pp. 33-35.

any new organization alongside of the National Guard or in substitution for it. This policy was pressed with insistence by influential National Guard officers, representing the National Guard Association, who throughout the month of January, 1916, appeared repeatedly to present their views before the military committees of both houses of Congress. Their plan was opposed outside Congress by Mr. Root and Mr. Stimson and others; but the general feeling within Congress was such that the newspapers announced on February 7, that in any army bill which Congress was likely to pass the Continental Army plan was certain to be radically modified. Five days later Secretary Garrison resigned from office.

It would be an instructive study to trace the trend of Congressional opinion during these months and follow the legislative history of the various proposals which finally emerged in the National Defense Act; but for such a study there is no room here. It is desirable, however, to outline in some detail the provisions of that act because at so many different points it supplied the basis for subsequent war legislation, and because in amended form it still remains in effect as the basic statute governing our current military organization.

4

The National Defense Act¹⁶ which became law on June 3, 1916, provided for four classes of troops: first, the Regular Army; secondly, the reorganized National Guard; thirdly, an "enlisted reserve corps"; and fourthly, a volunteer army to be raised only in time of war.

I. THE REGULAR ARMY. The maximum strength of the Regular Army was raised to approximately 298,000 men¹⁷; but it was provided that in time of peace it should not exceed 175,000.¹⁸ The increases were to be made in five annual increments beginning July 1, 1916, and running to July 1, 1920. There were elaborate provisions for expanding each

¹⁶ Act of June 3, 1916, 39 Statutes at Large; p. 166.

¹⁷ This number was capable of increase by filling out the units provided for to full war-time strength.

¹⁸ War Department, "Annual Report," 1916; Vol. 1, p. 29.

arm of the service in proper proportion with all the other arms and for increasing the number of officers to keep pace with the increase in enlisted personnel.

Secretary Garrison's long-continued insistence on the need for an alteration in the period of the enlistment contract to make provision for a reserve force bore fruit in some degree, and the provisions of the act of 1912 were altered by the following section of the new act:

Section 27. On and after the first day of November, nineteen hundred and sixteen, all enlistments in the Regular Army shall be for a term of seven years, the first three years to be in the active service, and the last four years in the Regular Army reserve hereinafter provided for: Provided that at the expiration of three years' continuous service, any soldier may be reënlisted for another period of seven years as above provided for, in which event he shall receive his final discharge from his prior enlistment; Provided, further, that after the expiration of one year's honorable service any enlisted man serving within the continental United States whose company, troop, battery, or detachment commander shall report him as proficient and sufficiently trained, may, in the discretion of the secretary of war, be furloughed to the Regular Army reserve, but no man so furloughed shall be eligible to reënlist in the service until the expiration of his term of seven years.

This final proviso represents the total outcome of Secretary Garrison's recommendations.¹⁹

The large increase in the size of the Regular Army as well as the demand for officers to conduct the training of the State militia under the new provisions of the act made necessary some device for increasing the available supply of officers. To satisfy this need was the purpose of several sections of the act. It had already been provided that the number of cadets at West Point should be raised in four successive annual increments from 668 to 1332.²⁰ But such an increase as this was insignificant in comparison with the requirements, and the National Defense Act accordingly made a new departure by authorizing an officers' reserve corps. The plan was to

¹⁹ See above; p. 14; below, p. 374.

²⁰ Act of May 4, 1916, 39 U. S. Statutes at Large; p. 62.

establish and maintain a training-corps for reserve officers at various educational institutions throughout the country. By this means it was hoped to utilize the facilities of public and private educational institutions to give instruction to large bodies of students in the elements of military science and tactics. Officers of the army were detailed to many such institutions as professors. It was pointed out that in 1915 5200 students in colleges who had completed courses of instruction under the supervision of officers were graduated from colleges, while the total number of students in colleges who had received some sort of military instruction in that year under officers of the army was 32,000. The total enrollment of male students in colleges to which it was possible to apply this sort of training was, however, much larger—about 170,000—, and it was hoped that by an enlargement and development of the plan the benefit of military instruction might be given to a substantial portion of these students.²¹ In this connection reference must also be made to the student summer training camps which, as already mentioned, had been inaugurated in 1913 by General Leonard Wood. The plan had been later enlarged to permit the attendance of business men and had been carried forward year by year with increasing success. During the summer of 1916 a series of five encampments were held at Plattsburg alone, besides two at Oglethorpe, one at Fort Terry, and six at Fort Wadsworth, all in the Eastern department, with a total attendance of 12,200. The success of the scheme was recognized in the National Defense Act, and provision was made for the continuance of the camps and payment of transportation and subsistence by the Federal Government for those who attended.²²

The National Defense Act provided that the President should be authorized to commission as officers in the Reserve Corps, in all grades up to and including that of major, such

²¹ War Department, "Annual Report," secretary of war, 1916; Vol. 1, p. 36.

²² *Ibid.*; p. 38. Act of June 3, 1916; Section 54.

citizens as on examination should be found physically, mentally, and morally qualified. The commission of all officers in the corps was to be in force for a period of five years unless sooner terminated in the discretion of the President; and on the expiration of their commission such officers might be recommissioned subject to such examination as the President might prescribe.²³ In time of peace, reserve officers might be ordered to duty with troops or at field exercises, or for instruction, for periods not to exceed fifteen days in any one calendar year, and while so serving were to receive the pay and allowances of their respective grades in the Regular Army²⁴; but otherwise they were not to be subject to call in time of peace. In time of actual or threatened war, the President might order reserve officers, subject to such examinations as he might prescribe, to temporary duty with the Regular Army in those grades which could not be filled by promotion, or as officers in volunteer or other organizations which might be authorized by law, or as officers at recruit and rendezvous depots.

One further section of that part of the National Defense Act which deals with the Regular Army deserves particular attention. It reads:

In addition to military training, soldiers while in active service shall hereafter be given the opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations. Civilian teachers may be employed to aid the army officers in giving such instruction, and part of this instruction may consist of vocational education either in agriculture or the mechanic arts. The secretary of war, with the approval of the President, shall prescribe rules and regulations for conducting the instruction herein provided for, and the secretary of war shall have power at all times to suspend, increase, or decrease the amount of such instruction offered as may in his judgment be consistent with the requirements of military instruction and service of the soldiers.²⁵

²³ Section 37.

²⁴ Section 39.

²⁵ Section 27.

Commenting on this section, Secretary Baker wrote, in sentences instinct with the same humane vision as that which inspired the legislation:

The primary purpose of the soldier when not in active operations is, of course, preparation for active operations; but armies are made of young men, in a large number of cases a single enlistment only is served, and these young men with strong and vigorous bodies return to the commercial and industrial life of the nation often to find themselves at a disadvantage in securing industrial or commercial employment because other young men of their age have spent years in apprenticeship and are, therefore, more available and better trained. The army posts of the nation cannot suddenly be converted into schools. So far a system of voluntary educational opportunity has been offered. In some posts substantial progress has been made. Under the provision of the new act consistent plans can be made, and highly beneficial results should follow. Undoubtedly we shall come to a mode of army life which, while doing full justice to military drill, and to that physical training so necessary to give the soldier a robust endurance of physical hardship, will at the same time afford him an opportunity to acquire mental training and manual skill and round out his life with wholesome recreations and diversions so that membership in the military forces of the nation will have added to its patriotic usefulness a compensating opportunity for growth to the soldier and preparation for him which will make his non-military years useful and happy.²⁶

2. THE NATIONAL GUARD. The sections of the National Defense Act dealing with reorganization of the State militia form the controversial portion of the statute. The views of the War Department as to what the new provisions could be expected to accomplish toward converting the militia into a really effective branch of the Federal service and toward remedying the defects which had previously worked against its usefulness were set forth in the annual report of the militia bureau for 1916. The chief defects in the situation existing under the amended Dick Act were there classified as follows:

(1) While the Federal Government was empowered to establish the type of organization to which the militia was

²⁶ War Department, "Annual Report," secretary of war, 1916; Vol. I, p. 37.

required to conform, it could not require the organization of any unit. A State might maintain no militia whatever, or it could muster its entire force out of service after the expenditure upon it of a large amount of Federal funds. As each State raised its own troops independently of the others, the composition of the organized militia as a whole was not based upon the requirements of army organization, and there was a general deficiency in the arms of service auxiliary to the infantry, such as artillery and cavalry.

(2) No uniform qualification for the commissioning or promotion of officers could be established by the Federal Government. In most States the system of election of officers by the men was the rule.

(3) There was a lack of uniform and efficient standards of physical examination.

(4) There was no uniformity in the terms of enlistment in different States.

(5) There was no proper means of insuring care of property lent by the Federal Government.

(6) The periods of training provided for were insufficient for the development of an efficient force, and the attendance at drills and instruction assemblies was notoriously low.

(7) Lastly, there was the crucial matter of a lack of Federal authority to order the National Guard as such beyond the boundaries of the United States.²⁷

What the act of June 3, 1916, did toward remedying these defects the militia bureau went on to summarize as follows:

(1) In addition to the requirement of the Militia Law of 1903 that the organization shall be the same as that prescribed for the Regular Army, etc., Section 60 of the National Defense Act empowered the President to "prescribe the particular unit or units, as to branch or arm of service, to be maintained in each State, Territory, or the District of Columbia in order to secure a force which when combined shall form complete higher tactical units." Section 62 further pro-

²⁷ War Department, "Annual Report," 1916; Vol. 1, p. 938.

vided "that new and existing units shall conform to such rules regarding organization, strength, and armament as the President may prescribe," and Section 64 that "for the purpose of maintaining appropriate organization the President may assign the National Guard of the several States to divisions, brigades, and other tactical units." The militia bureau felt that these powers as to organization were "absolutely complete," and that under them there was "no possible legal obstacle" to action by the War Department looking to the completion of the coast artillery contingent of the National Guard either by raising new units or by the conversion of existing infantry units.

(2) A "practically complete remedy" for the difficulties incidental to the appointment of National Guard officers by the States was provided by Section 75, which enacted that "the provisions of this act shall not apply to any person hereafter appointed an officer of the National Guard unless he first shall have successfully passed such tests as to his physical, moral, and professional fitness as the President shall prescribe." While the system of election of officers by their men was allowed to continue, the power granted by this section provided a remedy against the election of unqualified officers. Under Sections 74, 75, and 76 the President was empowered to approve or annul any commission issued by the governors of the several States.

(3) The National Defense Act remedied the deficiencies of prior legislation by providing (Section 69) that "the qualifications for enlistment shall be the same as those prescribed for admission to the Regular Army," and (Section 110) that "no money appropriated under the provisions of this [act] shall be paid to any person who shall fail to qualify as to fitness for military service under such regulations as the secretary of war shall prescribe," and (Section 115) that "every officer and enlisted man of the National Guard who shall be called into the service of the United States under this act shall be examined

as to his physical fitness under such regulations as the President may prescribe."

(4) Section 70 provided a uniform term of enlistment of three years in service and three years in the reserve.

(5) As to care of Federal property, the Federal Government under the law of 1903 could not require a State to reimburse it for Federal property lost or misappropriated. An attempt was made to remedy this defect in Section 87 of the National Defense Act, which provided that "if any State, Territory, or the District of Columbia shall neglect or refuse to pay or to cause to be paid the money equivalent of any loss, damage, or destruction of property charged against such State, Territory, or the District of Columbia by the secretary of war after a survey by a disinterested officer appointed as hereinbefore provided, the secretary of war is hereby authorized to debar such State, Territory, or the District of Columbia from further participation in any and all appropriations for the National Guard until such payment shall have been made." The real effectiveness of such a provision may be questioned, requiring as it does simply that the Federal Government shall deprive itself of the services of militia of the delinquent State instead of being vested with power to enforce its authority. The same criticism may be made of the enforcement provisions of the clauses respecting the organization of the militia into proper arms of service, and those touching the physical examination of officers and men. There were no means provided for compelling the States to conform to the regulations of the Federal authorities other than were involved in the power of the Federal Government to cut off financial aid to the militia of the delinquent State and thereby deprive itself of the only auxiliary citizen force supplied to it by the act to supplement the Regular Army. The states were thus virtually as free as before to defeat the building up of a coherent citizen force. This condition of affairs is inevitable in a policy which requires the Federal Government to put its reliance on troops

whose main allegiance is to an authority over which that government has no control, and serves to bring out the weakness of an army plan which does not embody Secretary Garrison's scheme of a national militia force national in character.

(6) In order to enforce regular attendance at drills and assemblies for instruction, Section 110 of the act made payment to enlisted men contingent upon attendance at the prescribed number of such drills and assemblies. This number the act set at forty-eight drills in each year together with fifteen days of encampment and manœuvres. Reckoning each day of encampment or manœuvres as comprising six hours of instruction, the total annual instruction of an enlisted man in the National Guard was thus equivalent to 162 hours, and for an enlistment of three years in active service to 486 hours. This training the militia bureau felt to be about half the amount needed properly to equip a soldier.

(7) To get around the constitutional obstacle in the way of service by the militia as such outside the territorial limits of the country, a device was adopted which had been suggested in the Militia Pay Bill of two years before. Sections 70 and 73 of the act prescribed that all officers and men of the National Guard in addition to taking the usual State oath should take an oath to the United States, binding themselves to obey all orders of the President and to serve for a period of six years, three with the reserve. The effect of this oath was to do three things:

(i) To establish a uniform period of enlistment.

(ii) To make possible the direct transfer of complete militia units to the Federal service without depending as heretofore on the voluntary enlistment of their individual members.

(iii) To make invalid discharges granted by State authorities and not in conformity with the regulations of the Federal Government, since the State authorities could not release a man from duty entered into toward the Federal Government without the consent of the latter.

Under these sections of the act it ceased to be possible for

a State at its own pleasure to muster out of service troops which had been organized, equipped, and trained at the expense of the Federal Government.

Such are in effect some of the detailed features of the act designed to enlarge the area of Federal control and supervision of the militia. The broad purpose of the act was to build these troops into a citizen army forming a second line of defense behind the regulars and filling approximately the same place in the general army policy of the country as Secretary Garrison had proposed for his projected Continental Army. The act authorized the organization of National Guard units under its provisions to a maximum strength of about 440,000 men, a figure which it was contemplated would be reached in eleven annual increments.²⁸ Further, the act undertook to prohibit the maintenance by the States of other troops than those which should be subsidized and controlled by the Federal Government under its terms.²⁹ The question of how the latter provision was to be interpreted gave rise subsequently to much doubt. The question was never directly passed on by a court of law, but Judge-Advocate General Crowder expressed his opinion that organized State militia were not troops within the meaning of the prohibition and that States might, therefore, go on maintaining militia forces other than those subsidized and controlled by the Federal Government under the scheme provided by the act.³⁰ By this interpretation, the effectiveness of the provision as a means of forcing State militia to come under Federal authority was seriously diminished.

3. THE ENLISTED RESERVE CORPS. In addition to the Regular Army and the Federalized National Guard, the National Defense Act provided further for an enlisted reserve corps. The purpose of this corps was to supply skilled men for the various technical branches of army service such as railway operatives,

²⁸ Section 62. War Department, "Annual Report," 1916; Vol. 1, p. 27.

²⁹ Section 61.

³⁰ Testimony before the House Committee on Military Affairs, April 9, 1917; p. 63.

telegraphers, chauffeurs, and bridge-builders, whom it was impracticable and uneconomical to keep in the Regular Army in adequate number in time of peace. It was accordingly provided that duly qualified men of these descriptions might be enlisted in a reserve corps subject to be called into active service by the President on the outbreak or imminence of hostilities.

4. A VOLUNTEER ARMY. The last sort of troops contemplated by the act was a volunteer army. No new provisions were included for the enlistment and organization of such a force, which thus remained subject to the provisions of the act of May, 1914, already considered. In fact, however, the new act was at so many points inconsistent with the terms of the Volunteer Act that in the opinion of the Judge-Advocate General it would have been exceedingly difficult to administer the two in unison.³¹

5

The central provisions of the National Defense Act, i.e. those dealing with the Federalizing of the National Guard, came to an early test. The act became law on June 3, 1916, and by June 18 the situation along the Mexican border resulting from the revolutionary condition of Mexico had become such that the greater part of the National Guard was called into Federal service by the President and despatched to the border States, where it remained for more than nine months. The question was at once raised as to whether men were subject to the call whose enlistments in existing militia units had not yet expired but who did not intend to bind themselves by the new Federal oath, which the law admittedly did not make compulsory. The point came before the courts in the Emerson and Lowell cases. Emerson and Lowell were militia-men enlisted in a Massachusetts National Guard regiment. They claimed that the National Defense Act discharged from

³¹ See his memorandum printed in "Hearings on the Selective Service Act before the House Committee on Military Affairs," April 7-17, 1917; p. 90.

all Federal obligation such State militia as did not bring themselves under the terms of the act by taking the new oath. To support this contention reference was made to the provision of Section 70 of the act that "when any existing enlistment does not contain such obligation [the obligation assumed by the new oath to the Federal Government] the enlisted man shall not be recognized as a member of the National Guard"; and to Section 58, providing that the National Guard should consist of the regularly enlisted militia, armed and equipped as provided by the act of June 3, 1916. Hence, Emerson and Lowell claimed that not having assumed the obligation of the new oath, they were discharged from whatever Federal obligations might have been attached to their preëxisting enlistments. Their contention was sustained in the United States district court,³² but overruled by the circuit court of appeals. Speaking for the latter court, Judge Aldrich said: "It is quite true that Section 70 declares, as to members of the National Guard of the several States whose enlistment and oath do not contain the broader obligation, that they shall not be recognized as members of the National Guard until they have assumed that broader obligation by signing the enlistment contract and taking the oath prescribed, but we look upon this as merely declaratory of the fact that they shall not be recognized and classed in the National Guard distinctively designated as such, and we do not view such declaration as at all inconsistent with the idea that they shall remain in the class of service into which they belong, and in which they are still bound to perform certain Federal military duty."³³

The effect of this decision was that militiamen who did not take the new oath remained subject to exactly the same Federal duties as before the passage of the National Defense Act. The Federal Government was thus enabled to send to the border any existing National Guard unit irrespective of

³² "New York Times," August 5, 1916; p. 4, column 6.

³³ 236 Federal Reporter; 161 and 169. The cases were taken to the Supreme Court, but were dismissed by consent of the parties. See 243 U. S., 660.

whether its members took the new oath or not. Only after the unit had been released from national service were its members to be permitted to withdraw from further Federal obligation by declining to take the oath.

The new oath did not in fact prove popular among the militiamen. "Having entered the Federal service with a keen desire for active service, they found themselves scattered along the Mexican border and forced to undergo a much more serious and extended course of training than any of them had ever undergone before. As a consequence, many were disappointed; complaints of 'we came down here to fight, not to sit around in camp,' were heard; criticism became rife; and appeals for permission to go home were voiced."³⁴ All this strongly discouraged such a definite commitment as the six years' enlistment which the new oath carried. The more extreme sentiment among the militiamen was expressed as follows by a writer in the "Seventh New York Regiment Gazette" :

"There is no question but that if legislation stands as it does to-day it will take only four years before the National Guard will be so reduced that it will be disbanded. Almost without exception every man in the Guard to-day, when his period of enlistment is up, is through for all time. Unless some provision is made to the effect that the National Guard cannot be called out by the President into the active service of the United States for a longer period than sixty days unless a state of war exists, the National Guard is doomed."³⁵

Events did not give time enough for a fair trial of the policy of the National Defense Act; but during the brief period that was afforded, the promise shown by that policy did not appear especially reassuring. It must be remembered, however, that the test occurred at a very unusual juncture in our foreign affairs and in the state of public opinion.

³⁴ Report of the chief of the militia bureau, War Department, "Annual Report," 1917; Vol. 1, p. 854.

³⁵ "New York Times," December 6, 1916; p. 11, column 1.

CHAPTER III

THE SELECTIVE SERVICE ACT

I

ON April 1, 1917, the strength of the Regular Army stood at 5791 officers and 121,797 enlisted men;¹ while the National Guard numbered 7612 officers and 174,008 men.² On the following day President Wilson appeared before Congress and recommended a declaration of war against Germany.³ A brief paragraph in his address was devoted to the question of supplying man-power for the army: "This step will involve the immediate addition to the armed forces of the United States, already provided for by law in case of war, of at least 500,000 men, who should in my opinion be chosen upon the principle of universal liability to service; and also the authorization of subsequent additional increments of equal force so soon as they may be needed, and can be handled in training." There was as yet no clear idea among the public as to the extent to which the United States would participate in the war; and the newspapers treated as debatable the question whether or not American troops would be sent to Europe.⁴ In view of this uncertainty the farsightedness of the policy outlined by the President is as apparent now as its boldness was remarkable at the time. In a few days a bill embodying the administration's policy was drawn up in the War Department and

¹ Report of adjutant general, War Department, "Annual Report," 1917; Vol. 1, p. 171.

² Report of chief of militia bureau in *ibid.*; p. 919.

³ War was declared April 6.

⁴ See "New York Times," March 30, 1917; p. 1, column 5; March 31; p. 1, column 8.

submitted to the military committees of both houses of Congress.

What the administration proposed was to do two things:

(1) Bring up the numbers of the Regular Army and National Guard to the maximum war-time strength authorized by the National Defense Act. This was in the neighborhood of 900,000 men. The men needed for this purpose were to be procured by voluntary enlistment.

(2) Raise by a process of selective draft additional forces in increments of 500,000 as needed, the first increment to be authorized at once.

It was thought that by this twofold policy ample opportunity would be given for the volunteer spirit in the country to express itself; and at the same time the main dependence would not be placed upon it. In Secretary Baker's plain words, "the President was of the belief that the volunteer spirit and principle ought to be preserved to the extent of authorizing the filling up of the Regular Army and the National Guard to full strength by that process, if the process proved sufficient to accomplish that end; but that as to the additional forces to be raised, a policy ought to be adopted which without becoming the beginning of the practice of universal training or service and without committing the Government to a present decision of that problem, was yet so far assimilated to it as to call into the service of the United States for the additional forces a class of young men who would be relatively free from the business and domestic entanglements which have hitherto embarrassed the country in the sudden calling of large forces from the body of the people, and who would be selected by a process sufficiently democratic to spread the strain over the entire country and at the same time reach men of ages within the limit of those who could be spared from the industrial uses of the country." ⁵

⁵ Statement of the Hon. Newton D. Baker, April 7, 1917, in "Hearings before the Committee on Military Affairs of the House of Representatives on the Selective Service Act"; April 7, 14, and 17, 1917; p. 5.

The idea of universal military obligation had been growing familiar to public sentiment during the months which had just elapsed. There was coming to be fairly broad realization that "universal service for the nation, whether it be enrollment for the military, or for broader work of industrial efficiency for national purpose, is the only democratic principle of national life, and only by such service can justice and equality be obtained for all the citizens of the great community. "Everywhere that I have been," said Robert Bacon, "I have found such views held and expressed with remarkable unanimity." Had it not been so, such a radical departure from our past as was involved in the Selective Service Act would certainly not have been effected so quietly and successfully.

Undoubtedly the administration was led thus to sponsor a policy of compulsory service by a mixture of motives. First of all there was the immediate pressing problem of man-power. That this had a powerful influence on the decision cannot be doubted. This side of the matter was emphasized by Senator Chamberlain in the report with which he introduced the Selective Service Bill in the Senate.

"This measure," he wrote, "has left room for the operation of so much of the volunteer system as in our judgment is worthy of adoption. While it provides for the raising of additional forces in large numbers by selective draft exclusively, it also provides, through recruiting to war-time strength the Regular Army and the National Guard, for absorbing a force of more than 600,000 volunteers. Thus, happily, the bill, while placing the main national dependence upon the almost universally approved system of the draft, at the same time accommodates itself to such volunteer spirit as exists and is available in the early days of the war. In fact the bill provides for a volunteer army larger than any volunteer army ever before raised by this nation at any one time or as a result of any single piece of legislation.

"The volunteer method has never proved adequate and effectual for national needs and will prove far less so now. War

as now conducted is of a hitherto unconceived magnitude. Millions of men are now demanded where formerly a few thousands were required. Yet in former times of national stress far less perilous than this, the volunteer method has never furnished the men needed for the emergency. History shows that, much to our detriment, we have begun our wars with this inadequate and ineffectual method and have brought them to a successful conclusion only by resort to a system based on proper principles. The volunteer method failed this nation in the Revolution, and it was only the material aid of France that gave us our independence. It failed us in the War of 1812, and, had it not been for drastic draft laws and the diversion created by the Napoleonic Wars, we could not have concluded even such a peace as we did. It failed the Confederacy in the Civil War, and that Government, to its advantage, was quicker to perceive its inadequacy than our own. It likewise failed the Federal Government and, volunteering having practically ceased by the end of 1862, was succeeded in the following year by the first of the Draft Acts. It failed us in the Spanish-American War, for the force then called for was never obtained.

“The volunteer method has no fundamental legal basis for its existence. The universal liability to render military service is based upon the fundamental concept of the relation of a free man to the state. The frequency of resort to it has, however, established the tradition that the volunteer system is the only system of raising military forces compatible with that right and duty of equal participation in the affairs and burdens of state which characterize American political institutions. To render military service to the nation is a higher duty than to contribute to its financial support. Military service is indeed the highest duty of the citizen and is in no sense to be regarded as a voluntary offering.

“Our experience with the volunteer system has revealed its deficiencies to all those who will view it candidly. England has had a like experience. The influence of the British tradi-

tion in this regard has brought her to the verge of national disaster in the gigantic struggle which now involves her life, as indeed it may involve ours. Under the incubus of that tradition, as compelling there as here, she set about this war first by sacrificing her regular establishment. Shoved to the brink of calamity, and after loss incalculable, she did what we have always belatedly done—turned away from the system which must inevitably bring such results in the face of an enemy who does not thus impede himself to a system based on dominant national principle. No effectual army was raised in Great Britain until the volunteer system was abandoned and compulsory service established in its stead. The British people to-day are, three years after the outbreak of the war, where they would have been at its outbreak had they been so well advised as they are now. It would be folly for us at this late day, in the light of their experience, to begin where they began.

“In a word, the volunteer system, which this measure is designed to supersede, is undemocratic, unreliable, extravagant, inefficient, and, above all, unsafe. This is no time to tolerate uncertainty in the raising of the large numbers of men which the present emergency is likely to require. This bill makes certain the raising and maintenance of the required forces with the utmost expedition.”⁶

So much for the argument from necessity. A second argument was based on the fact that the life of a modern nation is knit together in such intricate ways that the withdrawal of men from certain vital occupations to go into the army may irreparably disrupt essential processes of production. This argument was put with force in a letter from President Wilson to Representative Helvering of Kansas.

“Our object,” wrote the President, “is a mobilization of all the productive and active forces of the nation, and their development to the highest point of coöperation and efficiency, and the idea of the selective draft is that those should be

⁶ Reprinted in “New York Times,” April 20, 1917; p. 3, column 4.

chosen for service in the army who can most readily be spared from the prosecution of the other activities which the country must engage in, and to which it must devote a great deal of its best energy and capacity. The volunteer system does not do this. When men choose themselves, they sometimes choose without due regard to their other responsibilities. Men may come from the farms, or from the mines, or from the factories or centers of business, who ought not to come, but ought to stand back of the armies in the field, and see that they get everything that they need, and that the people of the country are sustained in the meantime. The principle of the selective draft, in short, has at its heart this idea, that there is a universal obligation to serve, and that a public authority should choose those upon whom the obligation of military service shall rest, and also, in a sense, choose those who shall do the rest of the nation's work. The bill, if adopted, will do more, I believe, than any other single instrumentality to create the impression of universal service in the army and out of it, and, if properly administered, will be a great source of stimulation." ⁷

Finally, a letter from Secretary Baker to Chairman Dent of the House Committee on Military Affairs points to certain additional considerations which influenced the Government's decision.

"I believe," wrote Mr. Baker, "that in every foreign country when the volunteer system has been tried, whatever success it has had has been due to a system of compulsion more harassing and almost as drastic as the provisions of a law itself. Old men, and young and old women, have united to urge young men to volunteer, appealing to local pride, and have enforced their appeal by social ostracism, by pinning yellow ribbons on the coats of young men, and by epithets and outcries which have finally driven the reluctant into the ranks and humiliated both the ready and the reluctant by the methods used. In the countries where the volunteer system

⁷ "New York Times," April 20, 1917; p. 3, column 5.

has obtained, those responsible for it were excused because they could not have foreseen at the beginning the results, but we have their experience to guide us, and I believe that those responsible in this country for repeating the costly errors which have been made abroad will not be able to make that explanation. This is the greatest war in the history of the world. Our participation in it is as yet undetermined in many of its modes, and wholly as to duration and extent, but we are called upon to inaugurate a system which in any event or contingency will place our country in a situation where it can contribute the trained men and the means necessary to bring this war to a conclusion which will mean a vindication of the principles upon which we entered it. We must therefore prepare to array the nation not by haphazard means, and not, if I may say so without offense, by volunteering either of persons or of property, but by an ordered systematic devotion of every man and every resource of our nation to the task, and this can be done only by placing upon the statute-books a system which assigns to our people each his part, according to his strength, and leads them to forego, in the interest of the common cause, all pride as to method and preference of service, allowing the organized agencies of our democratic government to judge where each can best serve his country.”⁸

These quotations indicate the extent to which British experience was present in the thought of the heads of the Government, and the distinct part it had in shaping their policy. During the hearings on the Draft Bill before the Military Affairs Committee of the House of Representatives a statement was made by Captain Percy Benson of the Somerset Yeomanry, which brings out the lessons of British experience that seemed to the administration leaders so compelling.

“There were five main reasons,” said Captain Benson, “that forced this universal military obligation on England. The first was the argument that the state gave equal privileges to every man, and that the obligation should also be equal. The vol-

⁸“New York Times,” April 22, 1917; Part I, p. 2, column 3.

untary system savored of privilege because A and B come up and enlist, and C and D do not. The argument was, why should A and B bear an obligation that C and D do not bear, when their privileges of citizenship are exactly alike? That was one of the greatest arguments, and was urged chiefly by the Labor party and the mass of public opinion generally.

"The second reason was that it was evident after a time that universal obligation secured infinitely greater efficiency, because the state, if it has every man of military age under an obligation to do his duty by the state, can tell him exactly what to do; and under our voluntary system at the beginning of the war, thousands of men from the coal mines, the ship-building yards, mechanics and farm laborers enlisted and went out. These men were to a very great extent skilled men. Afterward, when urgent need for these men arose, we had to withdraw a great many from the front line and bring them back to the workshops. Under a system of universal obligation the state can simply say to A and B, 'You stay in the workshops,' and to C and D, 'You go to the front.' In other words, A and B were often the coal miners and farm laborers, and C and D perhaps were selling ribbons in a women's dress-making shop where they would not be missed.

"The third point was economy, and this came under my own view. Very often A and B who enlisted were married men with large families, while C and D were single men. When the former were in service, the state had to pay separation allowances and dependency allowances for the wives and children and dependents of A and B, and those allowances were a very serious factor.⁹ Under a system of universal military obligation, you can choose the single men and reject the married men with large families, and then, in the case of a

⁹Great Britain is said to have expended \$144,842,580 in one year for the support of dependent families of men in service. "Hearings before the Committee on Military Affairs of the House of Representatives on the Selective Service Act." April 7, 14, and 17, 1917; p. 298. These hearings will hereafter in this chapter be referred to as "Hearings."

single man, you have no separation allowance to pay, and if he is killed, you have no pension to pay. But under a voluntary system, the state is not in a position to pick and choose; it has to take all who offer.

"The fourth thing which drove England to this policy was the need for continuity of effort, and that was a very important thing. If we could have pressed home our advantage against the Germans at certain times with large bodies of men, we might have been very much better off; but, as it was, you had to look at the recruiting, and see whether it was good or bad that week. Where the Zeppelins came over Scarborough, or something of that sort happened, it would be good. Under universal obligation, on the other hand, you can look ahead and make your plans just as in any other business.

"Another point is equal distribution of effort and obligation. In other words, we know that from some districts recruits have come in in tremendous numbers, and they would always come in from places that had been bombarded by Zeppelins, while other places would not send any recruits at all. This system of universal obligation makes possible a uniform distribution of effort throughout the country and a fair equalization of burdens."¹⁰

2

The Military Affairs Committee of the House of Representatives conducted a series of hearings on the selective service proposals, at which Secretary Baker appeared and explained the views of the administration in detail. The discussions covered most of the points about which opposition to the administration's proposals tended to center, and they illustrate some of the more typical reactions of opinion as to the proposed policy throughout the country. The following colloquy is significant:

Mr. Nicholls: "Mr. Secretary, is there any provision in this bill whereby a man can raise a regiment and be commissioned to command it?"

¹⁰ "Hearings"; pp. 221 ff.

Secretary Baker: "No, sir; there is no such provision in the bill."

Mr. Nicholls: "My reason for asking that question was this: Very often, as you are doubtless aware, one man can raise troops for service or get them to volunteer where another man cannot. In other words, there are men in my district who could raise regiments of troops, whereas those men would not volunteer for service unless they knew who would be in command of them."

Secretary Baker: "There is no provision in the bill for that."

Mr. Nicholls: "Do you think it would be advisable to have such a provision?"

Secretary Baker: "No, sir; I think such a provision would be fatal to the efficiency of the force."¹¹

There was much discussion as to the comparative military efficiency of volunteers and of soldiers drafted into compulsory service:

Mr. Wise: "Mr. Secretary, I should like to ask this question. Take the State of Georgia; suppose you wanted 10,000 men from that State, and suppose there were 40,000 on the registration, how or by what method are you going to say which ones shall go and which ones shall stay?"

Secretary Baker: "The jury-wheel—that is, select them as juries are selected; put their names in a wheel and select them by lot."

Mr. Wise: "Why would it not be really better, if there are, out of the 40,000, 10,000 who want to go, to allow them to volunteer and go?"

Secretary Baker: "For the double reason that it is frankly going to the volunteer system with whatever defects that system has; and, in the second place, those who would not volunteer would be put under some humiliation, while those who did go would probably be the most spirited youths and ought not to be first taken to be sacrificed."

Mr. Wise: "Do you not believe a man who really wanted to go and was anxious to go would make a better soldier than the man who went in half-heartedly or did not want to go or for some reason felt like he did not want to fight at this time?"

Secretary Baker: "I do not think I would like to say that. I think some of the bravest men in the world, and some of the men who have done the best work, have been men who shrank from conflict rather than those who courted it."¹²

Mr. Nicholls: "Would the administration object to giving men,

¹¹ "Hearings"; p. 16.

¹² "Hearings"; p. 37.

say, thirty days in which to volunteer, and then, if they did not volunteer, use this draft method?"

Secretary Baker: "I do not think you would accomplish anything by that. It is an academic thing to come to me and say, 'You had better enlist within the next thirty days, or I will take you anyway.'"

Mr. Nicholls: "I think you will find a good deal of pride involved in the matter. A man would not say, 'I enlisted because I had to go within thirty days.' I think good men would enlist if there was no limit to it, and then, after the limit expired, those who did not want to enlist could be forced to do so."

Secretary Baker: "Then you would be organizing the army out of those who wanted to go, while those who did not want to go—"

Mr. Nicholls (interposing): "Those who wanted to go would make the best soldiers."

Secretary Baker: "I am not so sure that lust for battle is necessarily a valuable asset for a soldier. Willingness to do his duty is enough."

Mr. Caldwell: "In civil life when you get a man working at a job he loves, his work is always better."

Secretary Baker: "I am not sure that is so in this case. The man who loves the cause for which the work is done is the man you want to get."

Mr. Anthony: "Mr. Secretary, is it not true that in the Civil War in almost every instance when drafted regiments were sent to the front, that when they first went into battle they either laid down or ran away?"

Secretary Baker: "Even if that were so, Mr. Anthony, it might very well be one argument against the volunteer system because you would have combed the country of all those brave spirited men, and killed them off."¹³

A recurrent point of discussion was naturally the compatibility of compulsory military service with the free spirit of American institutions:

Mr. Caldwell: "Some of us feel that there is a large sentiment in our country that men ought to be given an opportunity to volunteer before they are compelled to come in. Why would it not be wise to put in a clause of this kind, that if for any reason there shall not be enough volunteers, say, within a period of sixty days, conscription shall be resorted to? In other words, don't you think that the Anglo-Saxon idea of patriotism and service of country ought to be preserved in the statutory law of the land?"

¹³ "Hearings"; p. 65.

Secretary Baker: "Frankly I do not think so with regard to this emergency."

Mr. Nicholls: "Don't you think that the people ought to be allowed an opportunity to volunteer before there is any conscription?"

Secretary Baker: "No, sir, I do not. But the volunteer principle has been preserved for a very large number of men by the provision which fills the ranks of the Regular Army and the National Guard."

Mr. Nicholls: "Of course, there are a great many who would volunteer when the country goes to war who would not volunteer in time of peace in the National Guard."

Secretary Baker: "So far as I am personally concerned, I think there is a distinct moral gain in a man's addressing himself to the question whether his country is worthy of sacrifice and determining that moral question in favor of the sacrifice. I think that a man is a better man who addresses himself to that moral question. But, so far as the volunteer principle is concerned, I think there is plenty of opportunity preserved in this bill."¹⁴

Secretary Baker went on to point out the possible conflict between an unrestricted liberty of volunteering and the industrial and economic needs of the nation. "I think it is entirely likely we may not be able to take care of all who want to volunteer. I think it is very undesirable to take care of all of them; that is to say, there are a very large number of people in the United States who will want to volunteer who ought not to be in the military forces at present; their importance in industry is too great. We are facing, for instance, the farm labor situation. Now it is wholly impossible to take away from the active industrial forces of a country like ours 700,000 or 750,000 men without dislocating something. We ought to make that dislocation just as little as we possibly can."¹⁵

This contention was challenged.

Mr. Gordon: "Mr. Secretary, I was much impressed with your statement as to the volunteer system taking from the life of the country the men who were most needed. My observation is that it is just the other way—that you take men under the volunteer system who can get away, or men who have no fixed occupation."

¹⁴ "Hearings"; pp. 15, 16.

¹⁵ "Hearings"; p. 79.

Secretary Baker: "I believe you will be unable to prove that by the history of any system of volunteering conducted in any civilized nation of the world at any time. I think that the fine spirited women and the fine spirited men consult one another and agree that no private consideration ought to stand in the way of the public need, and that the unattached and dispensable people, by reason of their being unattached and dispensable, are the very persons least swayed by the spirit of those who early volunteer."

Mr. Greene: "Let me add about three lines of personal experience as a recruiting officer in 1898. My observation was in line with what the secretary has stated. In the first place, the men who had arrived at an age of maturity, and who had passed out of the somewhat floating class of young men—that is, the men who had formed business, social, and domestic relations,—were the men who realized most strongly their duty to the country, and I, as a recruiting officer in 1898, turned down a great number of such men, because in that emergency it did not seem that they should be permitted to do this. I also found the greater number of slackers and shirkers came from among the young unattached men who have been described as dispensable people."¹⁶

The attitude with which public opinion throughout the country would receive a law imposing compulsory service was felt to be another major consideration:

Mr. Tilson: "Mr Secretary, would you give your attention for a moment to a side of the question which I think is the strongest point, if there is any point, against your method of raising troops, and that is the question of its effect upon public sentiment and the people themselves? Is there not something to be said in favor of accepting a system that is known to be bad, that is known to be inefficient and inadequate, rather than to create the effect which might be created by a very unpopular measure?"

Secretary Baker: "I am very glad to have you refer to that, because that is democracy, and the people of this country are entitled to have what they want, and it is your duty and mine to give them what they want. Now, that does not mean either that we have any way of tabulating their opinion, or pleasing an uninformed judgment, but you all know America, and what America wants is to be efficient at this moment. Now, if you pass such a measure as is here provided, and send it out to the country as the expression of your judgment that this task is so large and that we must prepare for it so seriously

¹⁶ "Hearings"; p. 153.

as to establish this orderly system that will automatically develop larger and larger forces, the people of the country will accept your judgment. It may be somewhat shocking to them to find that you regard this as so serious a task, but they will instantly realize that it is a grave task, and it will have a sobering effect upon the judgment of the country. It may be unpopular when you first pass it, but it will not be a tithe as unpopular as a system which will arouse every community and set neighbor against neighbor, and friend against friend; and while this measure may have a certain amount of unpopularity on the day of its passage, the volunteer system will have a tenfold unpopularity just as soon as it begins to get out its whip and stir neighborhood sentiment into a frenzy.”¹⁷

It was suggested that the unpopularity of the measure might be lessened by the use of some less objectionable words than “draft” or “conscription.”

Mr. Olney: “The words ‘draft’ and ‘conscription’ are rather unpopular, and you would not object, would you, to changing that wording of the bill so it might read, say, ‘personal obligation to service’?”

Secretary Baker: “I think it would be very unfortunate to change that.”

Mr. Olney: “You think we should use the words ‘draft’ and ‘conscription’?”

Secretary Baker: “I think we should use the word that challenges attention to the thing, and not attempt to evade it in any way. I think we ought to say frankly what we are doing.”¹⁸

One of the purposes of the administration in desiring to have the policy of the draft adopted at the very outset of the war was to prevent it from being looked upon as a penalizing measure with the consequent opprobrium that would attach to drafted men. This would be the inevitable effect of any draft system which would go into effect only after volunteering had failed. As Representative Anderson subsequently put it in a debate in the House: “The draft has always hitherto been a last resort, when all who were willing to serve, and all who could be persuaded or ridiculed or threatened into serv-

¹⁷ “Hearings”; p. 277.

¹⁸ “Hearings”; p. 288.

ing, had joined the colors. It was odious, therefore, because it differentiated the patriot from the slacker, and branded the drafted man with the stigma of a coward. It is not the principle of universal military obligation but the application of the draft as a last resort which is repugnant.”¹⁹ By imposing a universal obligation of service at the outset, the difference between drafted man and volunteer was wiped out, and whether a man volunteered under the provisions of the act making it possible for him to do so, or took his place in a draft contingent, became a mere matter of detail.

The particular feature of the administration's bill which met with the greatest opposition was the provision setting the age-limits of men to be drafted at nineteen and twenty-five. It was widely felt that both limits were too low.

Mr. Field: “Mr. Secretary, I have been in the country while this discussion has been going on, and I am frank to say that I believe that the age limit of twenty-five will not meet the approval of the country; neither do I believe the age limit of nineteen will meet the approval of the country. Here is the way the people of the country generally talk about it: ‘This is a man's war, and the men of America should fight the war and not the children.’”

Mr. Lunn: “Why not make the limit forty years?”

Secretary Baker: “We would then be interfering too much with the industries.”²⁰

Mr. Garrett: “Then what service would the other millions of men above the age of twenty-five be rendering to their country as compared with the service rendered by those called to the colors?”

Secretary Baker: “You will have that distinction unless you put a gun in every man's hand. There is no answer to that unless you have a whole nation of soldiers. Some process of selection has to be devised.”

Mr. Garrett: “In fixing the age between those years are you basing it upon the question of ability to render service, or is it on the basis that these men are the men who can best be spared?”

Secretary Baker: “On the two laws that all experience with every war in history shows to be correct. First, that that is the best military period in a man's life, the time when young men are best adapted to training and service. The second consideration, and one

¹⁹ “New York Times,” April 25, 1917; p. 1, column 1.

²⁰ “Hearings”; pp. 149, 144.

which is not less important, is that those ages dislocate the commercial, industrial, and agricultural establishments of the country, upon the success of which the war depends, least of all.”²¹

Another source of opposition to the bill was the fear that it might commit the country definitely to a permanent policy of compulsory military service. Every effort was made to allay this fear. In a public statement the President declared: “This legislation makes no attempt to solve the question of a permanent military policy for the country, chiefly for the reason that in these anxious and disordered times a clear view cannot be had either of our permanent military necessities, or of the best mode of organizing a proper military peace establishment.”²² So also Secretary Baker, in his letter of April 22, to Chairman Dent: “I have no alarm on the subject of militarism in America, and particularly no fear of any such consequence from the pending measure, temporary as it is, and designed for the emergency. Militarism is a philosophy; it is the designation given to a selfish or ambitious political system which uses arms as a means of accomplishing its objects. The mobilization and arming of a democracy in defense of the principles upon which it is founded and in vindication of the common rights of men is an entirely different thing.”²³

3

The Selective Service Bill as prepared by the War Department was accepted by the Senate Committee on Military Affairs in virtually unaltered form. Almost the only change of importance made was specifically to exempt from the draft persons engaged in agriculture. On the other hand, the bill failed of adoption in the House committee and was reported out with amendments, the effect of which was to leave with the President responsibility for resorting to a

²¹ “Hearings”; p. 238.

²² “New York Times,” April 7, 1917; p. 3, column 1.

²³ “New York Times,” April 22, 1917; Part 1, p. 2, column 5.

selective draft. The President was given authority to employ that system, but was also authorized to employ the alternative of the volunteer system if he should so choose, thus relieving Congress of the burden of making the decision. A second amendment altered the age-limits of persons subject to draft, extending the liability to all males between twenty-one and forty. After the bringing in of this report there was a week of almost continuous debate in both houses. An objection which made its appearance was that the selective draft would require an elaborate administrative machinery to put it into operation which would materially delay getting American troops to Europe. This argument was urged in favor of an amendment introduced in the Senate by Senator Harding of Ohio and designed to enable Colonel Roosevelt to lead a volunteer army to France. The Harding amendment empowered the President in his discretion to raise not more than four volunteer divisions to go to France at once, with the restriction that no smaller unit than a division should be accepted for such service. Colonel Roosevelt had announced his desire to form such a division on the day following the President's war message,²⁴ and had had a conference with the President in regard to it.²⁵ The plan had aroused much enthusiasm, and the colonel had explained his ideas in greater detail: "It is all wrong not to send an expeditionary force abroad at the earliest possible moment, within the next few weeks. We should put one division on the front at once, keep its numbers full, and put other divisions side by side with it just as rapidly as it is possible to send them over, and not try to keep the whole army back to send over in a single mass. The only wise course is to vote for the administration's bill and to vote for Mr. Harding's plan or some similar plan not as a substitute, but as an addition."²⁶ The Roosevelt division, having been injected into the debate, naturally became a storm-center of controversy. "It is impossible for one to conceive,"

²⁴ "New York Times," April 4; p. 14, column 7.

²⁵ *Ibid.*, April 11; p. 1, column 2.

²⁶ Interview, published in "New York Times," April 28; p. 2, column 6.

said Senator Lodge, "why the administration or Congress should refuse to Colonel Roosevelt and his volunteers the opportunity to give their lives for their country if they so desire. Colonel Roosevelt does not seek the command except as a subordinate officer. It is not a matter of personal self-seeking."²⁷

The bill came to a vote on Saturday, April 28. The Senate adopted the Harding amendment by a vote of fifty-six to thirty-one, and voted down the McKellar amendment, which embodied the House committee's proposal to throw on the President the onus of choosing between the selective draft and the volunteer system, by a vote of sixty-nine to eighteen. The House rejected the same proposal by 313 to 10, and adopted the administration bill with amendments as to age limits by 397 to 24. The bill then went into conference, where it remained for more than two weeks. The main points at issue between the two houses were the question of age-limits, the Roosevelt division, and an amendment adopted by the Senate prohibiting the sale of liquor near army training-camps. Agreement was reached on these points on May 10. The Harding amendment was eliminated, and age-limits were fixed at twenty-one to thirty by the conferees. In this shape the bill was reported back. Sentiment in the House of Representatives had by this time so altered with respect to the Roosevelt division that the conference report was rejected and the bill returned to conference with instructions to the House conferees to accept the Harding amendment. Another change forced by the House was a provision adding fifteen dollars a month to the pay of all enlisted men receiving less than twenty-one dollars a month, together with other increases for men receiving higher pay, these increases being graduated down to an addition of six dollars a month to the pay of men receiving forty-five dollars a month or more. In this shape the bill was passed by both houses and approved by the President on May 18.²⁸

²⁷ "New York Times," April 29; Part I, p. 2, column 3.

²⁸ 40 Statutes at Large; pp. 76-83.

The President did not avail himself of the authority given him by the Harding amendment to accept divisions of volunteers, and thus assumed the responsibility shifted to him by Congress of disappointing Colonel Roosevelt's plan. Whatever merit the plan had, the Harding amendment can certainly not be considered as in harmony with the general policy of the act.

4

The Selective Service Act of May 18, 1917, entitled "An Act to Authorize the President to Increase Temporarily the Military Establishment of the United States," provided for the building of an army by the simultaneous use of three separate methods. First of all, the Regular Army was to be expanded at once ²⁹ to the full number of units contemplated by the National Defense Act, and all units, including those added by the foregoing provision, were to be raised to war-time strength. It was estimated that this would result in an increase of the Regular Army to 18,033 officers and 470,185 enlisted men.³⁰ Secondly, the President was authorized to draft into the military service of the United States, under the provisions of the National Defense Act, the National Guard of the States, expanding it at once, as in the case of the Regular Army, to the full number of units contemplated by the National Defense Act, and raising all units to war strength. This, it was expected, would yield a total of 13,377 officers and 456,800 enlisted men.³¹

The men needed for this expansion of the Regular Army and National Guard, more than 600,000 in all, were to be raised if possible by voluntary enlistment. Recruits were to be between the ages of eighteen and forty years, both inclusive, at the date of their enlistment; and such enlistments were to be for the period of the emergency unless sooner discharged. At the same time, it was provided that all en-

²⁹ Not by instalments as contemplated by the National Defense Act.

³⁰ Report of secretary of war, War Department, "Annual Report," 1917; Vol. I, p. 12.

³¹ *Ibid.*

listments in force at the date of approval of the act should be automatically extended to cover the period of the emergency.³² These provisions represent a great advance over the provisions of the Volunteer Act of 1914, which had merely provided that volunteers should be enlisted for the legal term of enlistment in the Regular Army.³³ The conception of "enlistment for the war" had at last found its way into legislation, and a parity had been established between the period of enlistment and the period of national need.

There was some discussion as to the use of the word "emergency" in this connection. Members of the House Committee on Military Affairs wanted to know why the word "war" was not used as in most previous legislation. Secretary Baker explained that the war might well be terminated and the emergency still drag on. The treaty of peace might impose certain duties of a military kind. "For instance, after the Franco-Prussian War, there was kept in France quite a large force for a certain length of time until additional portions of the indemnity were paid. There may be certain places that we will have to fortify, or certain prisoners that we will have to keep, and other duties of that kind flowing out of the situation." The term "emergency" was used advisedly.³⁴

If the enlisted men required to increase the Regular Army and National Guard to the full strength contemplated by the act could not be procured by voluntary enlistment, the President was authorized to raise them by selective draft; and he was further authorized to raise additional forces by selective draft in increments of 500,000 each, at such time as he should determine upon. The basic principles of the draft program were embodied in the act.

"Such draft as is herein provided shall be based upon liability to military service of all male citizens or male persons not alien enemies, who have declared their intention to become citizens,

³² Act of May 18, 1917; Section 7.

³³ See above, p. 25.

³⁴ "Hearings"; p. 72.

between the ages of twenty-one and thirty years, both inclusive, and shall take place under such regulations as the President may prescribe." Quotas fixing the number of men to be drafted from the several States were to be determined in proportion to population, and, in calculating such quotas, credit was to be given for the number of men who were in the military service as members of the National Guard on April 1, 1917, or who after that date had enlisted in either the National Guard or the Regular Army.³⁵

After providing that no person liable to military service should be permitted to furnish a substitute for such service, the act went on to deal with the question of exemptions from draft liability. Persons exempted fell into two groups, those exempted absolutely by the terms of the act, and those whom the President was authorized to exempt in his discretion. In the former group were included the legislative, executive, and judicial officers of the United States, and of the several States, Territories, and the District of Columbia; ordained ministers of religion; students who at the time of the approval of the act were preparing for the ministry in recognized theological schools; persons in the military and naval service of the United States; and members of any well-recognized religious sect in actual existence whose creed or principles forbid its members to participate in war.³⁶ The President was further authorized to exclude or discharge from the draft persons of the following classes: county and municipal officials; custom-house clerks; persons employed in the United States mail service; workmen employed in armories, arsenals, and navy-yards; pilots; mariners in the actual employ of American merchants; "persons engaged in industries, including agriculture, found to be necessary to the maintenance of the military establishment or the effective operation of the military forces or the maintenance of the national interest during the emergency"; persons with financial

³⁵ Act of May 18, 1917; Section 2.

³⁶ But the last class of persons were not to be exempt from such service as the President should declare to be non-combatant.

dependents rendering their exemption or discharge advisable; and persons found to be physically or morally unfit.³⁷

It was provided, however, that in figuring the quotas for the States no allowance was to be made for exemptions under the above provisions, but that the quotas should be proportioned absolutely to population. When the act came to be applied this rule proved obviously unfair, "laying the burden of furnishing men for the army without regard to actual availability. Gross population included aliens who under the terms of the law were exempted from draft. In districts with a large alien population, the population rule, therefore, resulted in a grossly disproportionate withdrawal of citizen-population which in some instances was little short of calamitous."³⁸ Accordingly the population basis of the quotas was ultimately abandoned, and by a joint resolution of Congress, adopted May 6, 1918, the number of men immediately available for draft service, and not the whole population, was made the basis of contribution among the States.

The persons exempt from draft liability having been defined, the act provided a skeleton outline of the machinery necessary for putting the draft system into operation. The President was empowered to name by proclamation a day for the registration of all male persons in the country who had attained their twenty-first birthday and not yet attained their thirty-first birthday; and all such persons were declared subject to registration with the exception of officers and enlisted men in the Regular Army, the navy, the National Guard, and the Naval Militia. For failure to register, a penalty of not more than one year's imprisonment was prescribed, and all persons guilty of such failure were on arrest to be duly registered.³⁹ The last provision and the short term of imprisonment were designed to thwart the intentions of persons who would deliberately incur a prison sentence if by doing so they might definitely escape liability to military service.

³⁷ Act of May 18, 1917; Section 4.

³⁸ "Second Report of Provost-Marshal General," 1919; p. 5.

³⁹ Act of May 18, 1917; Section 5.

For the administration of the act, the President was authorized to establish throughout the country two different sets of administrative boards, of which the first were local boards. Where practicable and desirable in the President's discretion, a local board was to be established for each county or similar subdivision of a State, and likewise for approximately each 30,000 of population in every city of 30,000 or more inhabitants according to the census of 1910. These local boards were to be appointed by the President and were to consist of three or more members, none of whom was to be connected with the military establishment. They were to have power within their respective jurisdictions to hear and determine in the first instance all claims for exemption except such as were based upon employment in an essential industry or vocation. Original jurisdiction over claims of the latter kind was vested in the district boards, the second sort of administrative bodies which the President was authorized by the act to establish. There was to be one such district board in every Federal judicial district of the country, appointed by the President, and consisting of such a number of persons, not connected with the military establishment, as he should determine. The district boards were to review on appeal, with authority to affirm, modify, or reverse, any decision of any local board within the area of their district; and were to have original jurisdiction over all claims for exemption based upon occupation in an essential industry. The decisions of the district boards were to be final, except that the President might establish rules allowing in such classes of cases as he should see fit a further appeal to himself.⁴⁰

The wisdom of the statutory provision vesting in the district boards original jurisdiction over claims based on industrial and agricultural employment had been doubted.⁴¹ "In many in-

⁴⁰ Act of May 18, 1917; Section 4.

⁴¹ The reason for this provision was the fear that in the exercise of this jurisdiction the local boards might be subject to improper local influences or tempted to show favoritism. "Congressional Record," Sixty-Fifth Congress, First Session; p. 2201.

stances," says General Crowder in his second report as provost-marshal, "such boards were too far removed from the locality of the individual registrant to be able to know or to ascertain the actual economic conditions of his community. Many district boards followed substantially the cursory recommendations of local boards in occupational cases, while other district boards ignored such recommendations, relying on data which were often incomplete and artificial. The provision made in September, 1918, for the appointment of three industrial advisers for the respective district boards went far toward remedying these conditions, though the cessation of hostilities and the resultant suspension of mobilization prevented a full test of the wisdom of this plan. On the whole, a more just and effective classification would have been secured had original jurisdiction in all cases been better vested in local boards, reserving to district boards a jurisdiction of a strictly appellate character. This would have effected a fairer coördination of industrial and dependency deferments."⁴²

The last provision of the Selective Service Act which it is necessary to notice here is the interesting provision authorizing the President in the administration of the act to employ the services of any or all of the agents and officers of the State governments and requiring the persons so designated to perform such duties as the President should direct. The constitutionality⁴³ of this provision was questioned during the exam-

⁴² "Second Report of Provost-Marshal General," 1919; p. 10.

⁴³ The power of the Federal Government to impose duties on State officers was discussed by Chief Justice Taney in the case of *Kentucky vs. Dennison*, 24 Howard, 66. He said: "We think it clear that the Federal Government under the Constitution has no power to impose on a State officer, as such, any duty whatever, and compel him to perform it, for to possess this power it might overload the officer with duties which would fill up all his time and disable him from performing his obligations to the State, and might impose on him duties incompatible with his rank and dignity. . . . Congress may authorize a particular State officer to perform a particular duty, but if he declines to do so, it does not follow that he may be coerced or punished for his refusal."

ination of Secretary Baker before the House committee:

Mr. Gordon: "Mr. Secretary, the duties and penalties imposed upon State and local officers in connection with the administration of this draft are somewhat arduous and stringent. Has the judicial department given you an opinion as to the power of the Federal Government to impose those duties upon such people?"

Secretary Baker: "It constitutes *pro tanto* a draft, and if you authorize it as a part of the draft power, the President would *pro tanto* be drafting them for that service. I am speaking now only to the question of power."

Mr. Gordon: "Yes, but you have a general exemption exempting these officers from the draft, and, as I understand it, you could not very well by another provision of the act draft them."

Secretary Baker: "They are exempted in their quality as executive officers of a subordinate division of the Government from being drafted into the military service as such, but a subsequent provision which imposes civilian duties on them, and which was in the nature of a draft, would not be inconsistent with that."

Mr. Gordon: "Do you not think there is some question about the power of the government, under its power to draft for military purposes, to prescribe duties for officers of local subdivisions?"

Secretary Baker: "No, sir; I have no doubt about that as a matter of law. It may be interesting to say that I should suppose 90 per cent. of the governors of the States have notified me of their very zealous readiness to place not only themselves but all State agencies in immediate coöperation with the government to accomplish the purposes enumerated."

Mr. Gordon: "Of course, the duties of State officers are prescribed by law, and they are not under the orders of the governor, except —"

Secretary Baker (interposing): "Well, curiously enough, there are statutes in most States which authorize governors to call upon assessors and persons of that kind to make enumerations for military purposes."

Mr. Gordon: "But in the absence of a statute?"

Secretary Baker: "I say there are statutes which authorize that in most cases."⁴⁴

The point was never tested, for the remarkable willingness and eagerness of the State executives to do their utmost in

⁴⁴ "Hearings"; p. 85.

coöperating with the Federal Government was one of the outstanding features of the administration of the draft system. It is a matter of which more will be said later on.⁴⁵

The Selective Service Act of May 18, 1917, was amended by an act passed by Congress and approved by the President on August 31, 1918. The military situation had by that time come to demand an even larger reservoir of man-power than that supplied by the act of 1917, with the result that it was found necessary in the new act to extend the draft ages to include all persons between the ages of eighteen and forty-five. The act of August, 1918, will be considered in more detail in the following chapter.⁴⁶

5

The constitutionality of the Selective Service Act came before the Supreme Court in the case of *Arver vs. United States*, decided January 7, 1918, and again in the case of *Cox vs. Wood*, decided May 6, 1918. In the first of these cases it was urged that the power conferred upon Congress to raise armies was only coterminous with United States citizenship, and could not be exerted so as to cause that citizenship to lose its dependent character, and dominate State citizenship. The inference which it was sought to draw was that civic obligation to military service was an obligation owed to the State Governments alone and was therefore not one which the National Government could impose or enforce. The court, however, pointed out that the power of Congress to raise armies, being by the terms of the Constitution an expressly granted power, is supreme. Furthermore, the Fourteenth Amendment has broadened the national scope of the Government under the Constitution by causing citizenship of the United States to become paramount and dominant instead of being subordinate and derivative. To the further contention that the power of Congress to raise armies was limited to calling for volunteers

⁴⁵ See "Second Report of Provost-Marshal General"; p. 262.

⁴⁶ Below, pp. 108 ff.

and could not include the power to exact enforced military service by the citizen, the court replied that such a view challenged the existence of all power in the Government, "for a governmental power which has no sanction to it, and which therefore can only be exercised provided the citizen consents to its exertion is in no substantial sense a power." The power is neither repugnant to a free government nor in conflict with the guarantees of the Constitution as to individual liberty. Such a power to impose military service on the citizen was recognized and enforced in England before the Norman Conquest. Throughout the course of English constitutional history the existence of this power was unquestioned, whether it resided in the Crown or in Parliament. In the American colonies before the separation from England the right to enforce military service was unquestioned, as it was in the several States under the Articles of Confederation. It was obviously the intention of the framers of the Constitution to take this power from the States and delegate it to Congress; in fact the want of power in Congress to raise armies was one of the recognized defects which led to the adoption of the Constitution. Nor are any of the specific provisions of the act of May 18, 1917, repugnant to the Constitution. The contention that the act is void as a delegation of Federal powers to State officials because of some of its administrative features is wholly without merit; nor is it void as vesting administrative officers with legislative discretion or with judicial discretion. Finally, the court points out that the contention that the prohibition of the Thirteenth Amendment against involuntary servitude is violated by the exaction by the Government from the citizen of his supreme duty to contribute to the defense of his country in time of war is refuted by its mere statement.⁴⁷

In *Cox vs. Wood* the chief contention was that the power of Congress to call out the military forces is granted exclusively under Article I, Section 8 (the militia clause), of the Constitution, and that, therefore, compulsory service beyond the

⁴⁷ Selective Draft Cases, 245 U. S., 366.

limits of the United States is prohibited. The Supreme Court overruled this contention, holding (1) that the power of Congress to compel military service is derived from the authority given to Congress by the Constitution to declare war and to raise armies; (2) that those powers are not qualified or restricted by the provisions of Article 1, Section 8; (3) that the power to impose military duty is in no way limited by the subordinate provisions of the Constitution concerning the militia.⁴⁸

⁴⁸ 247 U. S., 3.

CHAPTER IV

ONE ARMY

THE American army which wore khaki in the war with Germany was originally made up of three kinds of troops: the Regular Army, recruited to about twice its former size by enlisted volunteers; the National Guard of the States, increased by the same method; and a National Army of drafted men raised in the manner prescribed in the Selective Service Act. For more than fifteen months a formal distinction was preserved between these three forces, growing gradually more artificial as men were transferred from one force to another for purposes of training or to fill the gaps caused by such transfers¹; with the result that on the scene of the actual fighting in Europe virtually no unit was made up entirely of men recruited in the same way. The fact of this amalgamation was recognized by a general order of August 7, 1918,^{1a} abolishing the distinction between Regular Army, National Guard, National Army, and reserve corps and consolidating all the military forces of the nation into a single "United States Army." The purpose of this chapter is to trace the building up of the three forces which were thus finally consolidated; to show, in other words, the practical results of the act of May 18, 1917, in terms of its man-power yield, reserving for subsequent treatment the working of its selective draft provisions.

It may be desirable at the outset to refer to the enlisted reserve corps which was created by the National Defense Act

¹ It was stated that as early as January 31, 1918, there were 51,000 drafted men in Regular Army and National Guard organizations. See "Hearings before House Committee on Army Appropriation Bill for 1919"; Vol. I, p. 137.

^{1a} 1918, General Order No. 73.

for the purpose of supplying the army with its needed quota of technically trained men, telegraphers, chauffeurs, railway men, and so on. Nine volunteer regiments were organized for railroad work abroad composed of men obtained through the enlisted reserve corps, with an addition of two forestry regiments. The men composing the twenty-seven field battalions, twelve telegraph battalions, and six depot companies organized as a part of the signal corps were also secured from the enlisted reserve corps, as were 235 wagon companies, 106 auto-truck companies, eighty bakery companies, and twenty-four pack-train companies organized as a part of the quartermaster corps. Fifty base hospitals, and a number of ambulance sections, with a strength of nearly 15,000, were formed by the medical department. The organization of the reserve corps performed another useful service in enabling the aviation section of the signal corps to enlist candidates and give them a test at ground-schools organized at a number of large universities. Those who failed to qualify as candidates for final training as aviators were discharged and returned to the jurisdiction of their local draft boards. The strength of the enlisted reserve corps was approximately 35,000 men on June 30, 1917, and 80,000 on June 30, 1918.²

I

On April 1, 1917, the Regular Army numbered 5791 officers and 121,797 enlisted men. The Selective Service Act permitted voluntary enlistment by persons between the ages of eighteen and forty, and at the outset enlistment was freely open to persons registered for the draft, the only restriction being that such registrants should not yet have been called up for examination by their local boards. By regulations issued on December

² See report of adjutant-general, War Department, "Annual Report," 1917. Vol 1, p. 194; *ibid.*, 1918; Vol. 1, p. 174. Under the provisions of the National Defense Act creating the enlisted reserve corps, the term of enlistment was four years, but during the war enlistments were authorized with the provision that a discharge would be granted at the termination of the existing emergency.

15, 1917, voluntary enlistment in the army was prohibited to draft registrants, irrespective of whether or not they had been called for examination. After this date recruiting went on among men above and below the draft registration ages.

Within three months after the declaration of war, i. e. by June 30, 1917, the enlisted strength of the Regular Army had grown to 238,455,³ representing a voluntary enlistment of 116,658 men in the interval. Between July 1, 1917, and April 30, 1918, the total number of men accepted for enlistment was 230,509.⁴ Further enlistments brought the total for all enlistments subsequent to April 1, 1917, up to 390,874. On the arrival of American troops in Europe in considerable force, large numbers of drafted men were assigned to Regular Army organizations, bringing the total number of men in organizations classed as belonging to the Regular Army up to 709,251, exclusive of officers, by June 30, 1918.⁵

2

At the date of the declaration of war the National Guard numbered 7612 officers and 174,008 enlisted men. Of these, 3733 officers and 76,713 men were already in Federal service; 3879 officers and 97,895 men were in State service.⁶ On July 3 the President by proclamation exercised the power conferred on him by the Selective Service Act to draft the entire National Guard into the Federal service. Under this authority the National Guard of the several States and of the District of Columbia to which Federal recognition under the terms of the National Defense Act had been extended by the War Department before midnight of August 4 were drafted into Federal service on August 5. In the four months intervening between the declaration of war and that date, voluntary enlistment in

³ Report of adjutant-general, War Department, "Annual Report," 1917; Vol. I, p. 170, Table B.

⁴ Report of adjutant-general, War Department, "Annual Report," 1918; Vol. I, p. 216.

⁵ *Ibid.*; p. 171.

⁶ "Hearings on the Army Appropriation Bill for 1919 before the House Committee on Military Affairs"; p. 1321.

the Guard had been going on at a rapid rate, and the total number of Guardsmen inducted into national service stood at 12,115 officers and 366,956 enlisted men.⁷ This represented an enlistment of 192,948 volunteers since April 1. Subsequent enlistments brought the total of all enlistments in the National Guard up to 296,978. The total number of troops classed as National Guard amounted on June 31, 1918, exclusive of officers, to 417,431 men.⁸

3

The figures given in the preceding sections convey some idea of the extent to which advantage was taken of those provisions of the Selective Service Act permitting voluntary enlistment. In addition to enlistments in the Regular Army and National Guard, enlistments in the Enlisted Reserve Corps have to be taken into account. The total voluntary enlistment in all branches of the land service by months have been tabulated as follows by the provost-marshal general⁹:

1917	April	. . . . .	86,405
	May	. . . . .	119,470
	June	. . . . .	95,818
	July	. . . . .	73,887
	August	. . . . .	59,556
	September	. . . . .	24,367
	October	. . . . .	31,216
	November	. . . . .	45,699
1918	December	. . . . .	141,931
	January	. . . . .	41,226
	February	. . . . .	26,197
	March	. . . . .	25,268
	April	. . . . .	23,165
	May	. . . . .	25,794
	June	. . . . .	27,583
	July	. . . . .	19,028
	August	. . . . .	16,859

⁷ "Second Report of Provost-Marshal General"; p. 227.

⁸ Report of chief of militia bureau, War Department, "Annual Report," 1918; Vol. 1, p. 1107.

⁹ "Second Report of the Provost-Marshal General"; p. 223, Table 79.

On August 9 further volunteering was suspended by order of the War Department. The figures show that the number of volunteers forming part of our land forces in the war was 883,519. This was the extent of the man-power yielded by the volunteer provisions of the Selective Service Act. It affords, however, no adequate criterion of the number of men who would have volunteered in the absence of the compulsory service; for the reciprocal influence of the draft on enlistment and of enlistment on the draft was everywhere apparent.

Thus the figures show that at certain stages the draft stimulated voluntary enlistment. In April, May, and June, 1917, enlistments ran high, but dropped sharply after July. "This change was apparently influenced by the announcement of the order-numbers of the draft late in July; for thereafter the certainty, implied by high order-numbers, of not being liable to early call in the draft, removed for many persons the motive to enlist."¹⁰ Again in December the enlistment figure suddenly rose; this was undoubtedly due to the issuance of the order that after December 15 no further enlistment of registrants in the army was to be allowed. "In order to afford registrants an opportunity for voluntary enlistment before the prohibition against such enlistments became effective, authority was given on December 1 for the acceptance of voluntary enlistments of registrants not needed for current quotas of their local boards. This resulted in such a large number of applications for enlistment that the capacity of the recruiting depots was overtaxed, and it was necessary to divert a considerable number of applicants to various camps and stations for physical examination and enlistment."¹¹

"In short, the selective draft, in its indirect compulsory influence, was an effective stimulant to enlistment. In spite of the general popularity of the selective service system as such, there persisted always, for many at least, the desire to enter military service, if needs must, by enlistment rather than by

¹⁰ "Second Report of Provost-Marshal General"; p. 224.

¹¹ Report of adjutant-general, War Department, "Annual Report," 1918; Vol. 1, p. 210.

draft—that is, to enter voluntarily in appearance at least. Thus, whenever the prospect of the draft call seemed near, enlistments received the benefit of the dilemma thus created.”¹²

It seems to have been chiefly in connection with enlistments in the navy that freedom of enlistment operated to interfere with the orderly working of the draft. In the spring of 1918 the number of men remaining liable to draft began to grow exceedingly limited. After December 15 draft registrants could no longer enlist in any branch of the army, but enlistment in the navy still remained open to them. The result was a rise in naval enlistments to unprecedented figures with a corresponding reduction in the number of men available for draft call. This is shown by the following table of enlistments in the navy and Marine Corps:

		Navy and Reserves	Marine Corps and Reserves
1917	April	24,593	2,635
	May	22,174	5,284
	June	50,502	3,929
	July	8,698	3,253
	August	4,641	1,975
	September	2,025	1,178
	October	15,292	458
	November	8,458	517
	December	31,076	1,373
1918	January	26,860	2,149
	February	10,258	1,459
	March	11,362	677
	April	19,921	2,626
	May	24,537	5,070
	June	97,158	4,900
	July	23,732	8,510
	August	48,137	5,030
	Total	429,424	51,223

In consequence of the situation thus resulting, a Presidential order of July 27 prohibited further enlistments of Class I registrants—i. e., of men immediately liable to call under the

¹² “Second Report of Provost-Marshal General”; p. 224.

draft — in the navy or Marine Corps, and on August 8 the secretaries of war and of the navy suspended all further voluntary enlistments altogether.

The provost-marshal general has indicated his disapproval of the whole policy of combining the privilege of voluntary enlistment in any degree with a system of obligatory selective service. "Recruiting," he reports, "played havoc for a time with the orderly process of selection. During the period in which enlistments were permitted, 1,300,000 men were withdrawn from the available source of supply upon which the selective service organization relied. The volunteer plan took no heed of economic value; it received as readily the man indispensable to production as it did the industrially worthless. We were presented with the strange anomaly of a nation which had entrusted its man-power to a selective organization at the very same breath turning over the same sources to an indiscriminate withdrawal by the agencies of recruitment. The task of accounting became highly difficult; an equitable or efficient apportionment of man-power between the military and industrial realms was impossible. Recruitment disturbed every phase of the scientific administration of our task and impaired the efficiency of the whole."¹³

From the sheer point of view of efficiency, this criticism is undoubtedly justified, but it must be remembered that there are other considerations which, in a democracy in particular, must at times be taken into account. Theoretically the principle of selective compulsory service produces the most equitable and efficient application of the man-power of the nation and consequently represents a policy which ought to be applied to the very limit of what is practicable; but on the other hand human nature and the attitude of mind and feeling bred among Americans by a long course of contrary practice require imperatively to be allowed an outlet. Although to do this may somewhat impair the maximum of efficiency theoretically attainable, it at the same time dissolves obstacles and opposition which might otherwise have threatened the success of the whole draft

¹³ "Second Report of Provost-Marshall General"; p. 6.

system, and to that extent a seeming sacrifice of efficiency in the abstract may well have enhanced the measure of efficiency actually attained in fact. These are at least considerations worth taking into account in weighing the merits of General Crowder's criticism.

4

Turning now from the forces produced by the voluntary enlistment features of the act, there remain to be considered those raised by the draft. Men entering the army under the draft provisions of the act were said to be "inducted" into the service, induction being distinguished from enlistment. Enlistment was voluntary and was under the direction of the adjutant-general of the army. Induction was under the direction of the provost-marshal general and was generally involuntary in the sense of being upon order from selective service officials. The first inductions took place in September, 1917. The figures for that and subsequent months were as follows¹⁴:

1917	September	296,678
	October	163,493
	November	35,721
	December	20,320
1918	January	23,288
	February	83,799
	March	132,484
	April	174,377
	May	373,063
	June	301,941
	July	401,147
	August	282,898
	September	262,984
	October	107,363
	November	7,331
	Total	2,666,867

I. REGISTRATION. The process by which these forces were raised began with the registration provided for by Section 5

¹⁴ "Second Report of Provost-Marshall General"; p. 223.

of the Selective Service Act. It had been the original idea of the War Department to have the registration take place through the same machinery that was to be employed for the process of selection — i. e., through the local boards. The intention had been to pass complete responsibility for both registration and selection to the States, vesting in the State governors as much control as possible, and making them responsible for the appointment of all officials who were to be charged with local administration of the act. Congress had, however, inserted provisions requiring that the selective boards should be appointed by the President. It still remained possible, however, to organize the registration machinery under the direct control of the State executives, and this was done.¹⁵ For purposes of the registration, each governor was authorized to divide his State into geographical districts. Considerable latitude was allowed, the only restriction being that approximately 30,000 inhabitants should be included within the limits of a district. In practice such a district corresponded generally to the limits of a county. In each of these districts a registration board was appointed by the governor. Usually this board consisted of the sheriff, the county health officer, and the county clerk. The actual unit for registration purposes was made the election district, so that the normal election machinery might be utilized, and a registrar for every 800 of population in every such voting precinct was appointed by the registration board. Over these registrars the registration boards exercised supervision, and the registration boards themselves were supervised by the governors. Each State was constituted a separate unit, and each governor was charged with the execution of the law in his State.¹⁶ In actual practice the adjutant-general in each State was the central administrative authority of the registration system of the State.

By proclamation of the President dated May 18, 1917, it was

¹⁵ "First Report of Provost-Marshal General," 1917; p. 11.

¹⁶ Annual report, secretary of war, War Department, "Annual Report," 1917; Vol. 1, p. 15. See also "Letter of Announcement to the Governors" in "First Report of Provost-Marshal General"; p. 7.

ordered that Tuesday, June 5, should be registration day throughout the United States. On the morning of that day a coördinated mechanism which had been created in little more than a fortnight stood ready for the task; and by nightfall virtually the entire male population of the country between the ages of twenty-one and thirty had presented themselves and been enrolled. The total number registered, with accretions from tardy registrants and transferred cards up to November 12, 1917, was 9,586,508.¹⁷ The average number of registrants within the jurisdiction of a local board was 2500, the highest being 10,319.¹⁸

2. APPORTIONMENT OF QUOTAS. The total number of men to be raised by the first levy of the draft was fixed at 687,000.¹⁹ The next task was to apportion this national quota among the States in accordance with the provisions of the act. This apportionment was carried out under regulations issued by the President on July 5. It will be remembered that the basis of apportionment was to be gross population, and that each State was to be credited with the number of certain classes of enlisted men which it had already furnished. Accordingly for the purpose of apportioning quotas there was added to the total number of 687,000 men to be raised by draft the further number of 465,985, by way of credit, the latter figure being composed as follows: (a) 164,293 men who were in the military service as members of the National Guard on April 1, 1917; (b) 183,719 men who entered the military service of the United States as members of the National Guard during the period from April 2 to June 30, 1917, both inclusive; (c) 117,974 men who enlisted in the Regular Army during the same period. It is to be observed that in apportioning quotas and credits no credit was given for enlistments in the naval service, Marine Corps, or enlisted reserve corps. This was due to the

¹⁷ "Second Report of Provost-Marshall General"; p. 22.

¹⁸ Annual report, secretary of war, War Department, "Annual Report" 1917; Vol. 1, p. 17.

¹⁹ "First Report of Provost-Marshall General"; p. 27.

fact that the act made no provision for crediting such enlistments.

It will also be observed that the figure representing credits was added to and not subtracted from the total number of men to be raised as fixed by the President's call. This addition was necessary in order to secure the full number of men. If only the 687,000 had been treated as the gross quota, and the credits of 465,985 had then been subtracted from this gross total, the number of men left would have been only 221,015, and a further draft would have been necessary to raise the 465,985 lacking. To prevent this circuitry of operation the method of addition was employed. The gross quota having been fixed by adding 687,000 to 465,985, it was then apportioned among the States according to population, and the gross quota for each State was thus obtained. From this was then deducted the number of men whose enlistments were to be credited to that particular State, and in this way the net quota, or actual number of men to be furnished from that State by the draft, was arrived at. The average percentage of credits for enlistment to total gross quota was for the whole United States 40.42 per cent. For some States it was much higher, for others much lower. Thus Oregon was credited with over 90 per cent. of her gross quota, leaving only 10 per cent. to be raised by draft. Oklahoma's credits, on the other hand, amounted to only 22 per cent.

The system of credits in apportioning men to be furnished by the draft was carried below the States to the local registration units or counties. The task of apportioning the States' draft quotas within their boundaries was entrusted to the governors. Each governor apportioned the State's gross quota among the local subdivisions on the basis of their population. He then determined the net quota for each subdivision by deducting from its gross quota the credits to which it was entitled. It thus turned out that there were a number of localities throughout the country which had furnished by way of voluntary enlistment a number of men in excess of their gross

quota and which in consequence were relieved from further liability to furnish men by draft. Fourteen counties of the State of Oregon alone were included among these "banner" localities.²⁰

The plan of thus carrying the credit system of apportionment directly down to the local community is an instance and illustration of one of the outstanding features of the whole idea of our draft — that is, its respect for and insistence upon the rights and interests of the local geographical unit. In the present instance the plan sought to secure not merely that each State but that each local community should not be drained of a larger proportion of its man-power than any other; and to that end each was given the benefit of the credits to which it was entitled. Had the State been the lowest unit entitled to credit, the result would have been that in filling the net quota of the State, communities which had already furnished a large number of men by enlistment would have been called on to furnish as many men for the draft as other communities where enlistments had been much fewer; with the consequence that the former would have been subjected to a much heavier drain on their available man-power, and would have had their local life more seriously interfered with than the latter. The method adopted served to prevent this and to safeguard the interests of all local communities equally.

3. DETERMINING THE ORDER OF LIABILITY. The quotas for each subdivision having been fixed, the next task was to fill them by inducting the proper number of registrants into service. The whole number of registrants for each community was of course far in excess of that community's quota liability on the first levy; and it was accordingly necessary to determine the order in which the registrants should be called. In speaking of the way in which this would be done Secretary Baker, in a passage already quoted,²¹ had referred to the jury-wheel. This was the method which had been used in the Civil War

²⁰ "First Report of Provost-Marshall General"; pp. 15-20.

²¹ Above; p. 66.

draft, the men from each locality having been selected by a local drawing. It was felt, however, that to entrust the drawing to the localities might well open a door to possible fraud and manipulation, and that if a central lottery could be arranged in Washington under circumstances negating any suggestion of favoritism, the effect on public opinion would be more satisfactory.²² The method worked out was as follows:

Each registration board caused to be numbered all the registration cards in its possession, beginning with the number " 1 " and continuing consecutively until all the cards were numbered. For each board there was thus a separate series of numbers beginning with " 1 " and running parallel with the series of every other board. These serial numbers were assigned to the cards at random and without regard to alphabetical arrangement of the registrants' names in order to prevent the possibility of manipulation. The largest number of men within a single registration area turned out to be approximately 10,500, and hence the series of this board, running from 1 to 10,500, was the longest series which required to be taken into account. Accordingly, the numbers in the series running from 1 to 10,500 were placed in a bowl and drawn out at random, the order in which they were drawn determining the order of liability of the holders. The drawing took place on Friday, July 20, in the public hearing-room of the Senate office building, with all the solemnity of a great public occasion. Each of the 10,500 numbers was stamped on a slip of paper, and the slips were enclosed in black capsules. The capsules were then placed in a large glass bowl and mixed with a ladle. They were drawn out one at a time by blindfolded men, the first number being drawn by the secretary of war. The order in which any particular number came from the bowl determined the relative order of liability of the man whose card bore that number. In short, the order of the drawing determined a series of " call-numbers " or " order-numbers " of the registrants. Thus if Serial No. 458 was the sixth number drawn from the bowl,

²² " First Report of Provost-Marshall General "; p. 14.

then in every local area the registrant whose card bore that number stood sixth in order of liability for draft service among all the registrants in that area.²³ And so on.

4. SELECTION FOR SERVICE. The quotas of each registration unit and the order of liability of the registrants having been thus determined, the next task was that of selection — i. e., the elimination of men found unfit for service or entitled to exemption on one or another of the grounds provided in the act or specified by Presidential regulation. The machinery provided for this purpose and the principles followed will be discussed in the next chapter. Here it is only necessary to refer to the main features of the process. The administrative area of approximately 30,000 of population was preserved as far as possible, and for each such unit a local board of three members was appointed by the President upon the recommendation of the governor of the State. The board members were residents of the districts where they served, and the personnel usually included a licensed physician. In many cases registration boards were reappointed to be local boards. These boards examined the registrants and eliminated those entitled to exemption.

Immediately on the completion of the order of call lists, the local boards began to summon registrants to fill their quota, beginning with the man who was No. 1 on the list of call — or order — numbers and continuing in numerical sequence. The average number summoned was about twice the number required — i. e., if a board's quota was 105, the first 210 registrants in order of liability were called up, in order to provide a sufficient number of men to make up for men who should be exempted. The quotas having been filled by eliminating the men entitled to exemption, everything was in readiness for the next step in the process, namely mobilization.

5. MOBILIZATION. The mobilization of the National Army took place in accordance with orders issued by the adjutant-

²³ See "First Report of Provost-Marshall General," p. 14; "Second Report," *ibid.*, p. 41.

general. The latter would send to the provost-marshal general a requisition for a certain number of drafted men to report to particular camps, and the provost-marshal general would thereupon issue a call for these men to the local boards in the appropriately situated States.²⁴ The local boards in turn would notify the number of men called for to report for transportation to the mobilization camp or military post specified. When a man so reported he was regarded as *ipso facto* inducted into the service. The contingent, having been assembled, was thereupon entrained for camp.

The time set for entrainment was generally made by the local board an occasion of formality and ceremony, and in most communities it took on the marks of public festivity. The men were assembled at the office of the local board, which was sometimes the court-room of the county-seat, or a large hall, a public school, or a municipal building. When the contingent was a large one, it was drawn up in ranks in the street or public square. A photographer officiated to preserve for the participants' families a pictured memento of the occasion. The chairman made an address, reminding them of the significance of the occasion, and calling attention to the various regulations to be observed in their progress from home to camp. Usually other short addresses were made, sometimes by the mayor of the town or by other notables. Friends were already waiting at the railroad station. Often in the large cities the entire contingent was transferred from the office of the board to the railroad station in automobiles, lent for the purpose and gaily decorated. Where the contingent marched on foot to the station, the town band, if there was any, usually led the procession; crowds of friends and relatives, with mingled cheers, laughter, and tears, watched their passage; and a combined resonance of music, singing, shouting, and the din of horns announced the transit of the contingent through the streets. At the station sometimes the whole of the town would be found assembled to cheer the parting moments of "the boys." For the town felt that these men represented its own honor and patriotism; it looked proudly upon its contribution to the national defense; and it was keenly desirous to make them feel that they represented the honor of the town, the country, and the State in the new service to which they were called.

²⁴ The call was issued to the State headquarters, which would proceed to allocate it among the respective local boards. See "Second Report of Provost-Marshall General"; p. 236.

This celebrative aspect of the day and moment of departure of the selectives became a notable feature of the system. It was in strong contrast with the casual and uncelebrated departure now and then of a single enlisted man—unnoticed except by his family. The departure *en masse* of a large contingent of selectives made it natural to focus publicly on this single moment the local patriotism for the war. And it is an undoubted fact that as the mobilization became more frequent and this feature became more and more noticeable, there were often heartburnings in the families of those other men who had enlisted, when they reflected upon the public applause that was given to the men called in the draft.

This public celebration on the day of entrainment counted for a great deal in accumulating popularity for the draft; for the general sentiment of military patriotism came thus to be associated in an open and emphatic manner with the processes of the draft.²⁵

The first requisition for drafted men was issued by the adjutant-general on August 25, 1917, calling for 5 per cent. of the national quota to be delivered at camp beginning September 5. The second call was for 40 per cent. to be delivered beginning September 19. Because of the delay met with in completing certain cantonments, the third call, which was for men to be delivered October 3, was unevenly distributed, as many as 40 per cent. of the quota being called from territory tributary to certain cantonments, while a much smaller percentage was called to others.²⁶ By December 20, 1917, the total number of drafted men mobilized amounted to about 527,100, or 76.72 per cent. of the 687,000 called in the first levy.

5

Before going on to deal with the mobilization of drafted men during 1918 and with the extension of draft liability in that year, it seems desirable to say something about the plant provided for organizing the draft contingents into a military machine. This plant was made up of a system of great mobilization-and training-camps distributed more or less evenly through the country. Another series of camps was estab-

²⁵ "Second Report of Provost-Marshall General"; p. 237.

²⁶ "First Report of Provost-Marshall General"; pp. 26-27.

lished for organizing and training the National Guard; and the two may be considered together.

The plans of the general staff called for the organization of the National Guard into sixteen army divisions, each to be mobilized and trained at a separate camp.²⁷ At the same time it was planned to mobilize the National Army of drafted men in sixteen camps, one to be located in each of the military divisions of the country. The plans thus called for the construction of thirty-two cantonments. Because of lack of appropriations, however, and for other reasons, it was determined not to construct wooden cantonments for the National Guard, but to house them under canvas. This required that the National Guard camps should be virtually all situated in the Southern States, where reasonably warm weather during the winter months might be expected.²⁸ Accordingly the following National Guard Camps were established:

Division Number	Consisting of National Guard following States	Location of camp
Twenty-Sixth	<div> <div>{</div> <div> New Hampshire Vermont Massachusetts Rhode Island Connecticut </div> </div>	Camp Greene, Charlotte, North Carolina
Twenty-Seventh	New York	Camp Wadsworth, Spartanburg, South Carolina
Twenty-Eighth	Pennsylvania	Camp Hancock, Augusta, Georgia
Twenty-Ninth	<div> <div>{</div> <div> New Jersey Virginia Maryland Delaware District of Columbia </div> </div>	Camp McClellan, Aniston, Alabama

²⁷ 1917, General Order No. 101.

²⁸ Report of secretary of war, War Department, "Annual Report" 1917; Vol. 1, p. 25.

Thirtieth	{ Tennessee North Carolina South Carolina	Camp Sevier, Greenville, South Carolina
Thirty-First	{ Georgia Alabama Florida	Camp Wheeler, Macon, Georgia
Thirty-Second	{ Michigan Wisconsin	Camp MacArthur, Waco, Texas
Thirty-Third	Illinois	Camp Logan, Houston, Texas
Thirty-Fourth	{ Minnesota Iowa Nebraska North Dakota South Dakota	Camp Cody, Deming, New Mexico
Thirty-Fifth	{ Missouri Kansas	Camp Doniphan, Fort Sill, Oklahoma
Thirty-Sixth	{ Texas Oklahoma	Camp Bowie, Fort Worth, Texas
Thirty-Seventh	Ohio	Camp Sheridan, Montgomery, Alabama
Thirty-Eighth	{ Indiana Kentucky West Virginia	Camp Shelby, Hattiesburg, Mississippi
Thirty-Ninth	{ Louisiana Mississippi Arkansas	Camp Beauregard, Alexandria, Louisiana

Fortieth	{	California	Camp Kearney, Linda Vista, California
		Utah	
		Colorado	
		Arizona	
		New Mexico	
		Nevada ²⁹	
Forty-First ³⁰	{	Washington	Camp Fremont, Palo Alto, California
		Oregon	
		Montana	
		Idaho	
		Wyoming	

The foregoing table ^{30a} illustrates the adherence of the War Department to its policy of organizing the army as far as possible on the principle of geographical neighborhood. By express provision of the Selective Service Act, the same policy was carried out in the case of the National Army. The draft contingents from the various States were concentrated in cantonments as follows: ³¹

Name of Camp	Location	Drafted Men from	Number of drafted men received, September- December, 1917, in- clusive
Devens Ayer, Mass.	Maine		37,141
	New Hampshire		
	Vermont		
	Massachusetts		
	Rhode Island		
	Connecticut		
	New York (part) ³²		
Upton	Yaphank, N. Y.	New York (part) ³²	23,210

²⁹ Nevada furnished no National Guard contingent.

³⁰ An additional division, the Forty-Second or Rainbow Division, whose organization was authorized in August, 1917, was made up of scattered units from twenty-six States and the District of Columbia.

^{30a} From report of chief of militia bureau, War Department, "Annual Report," 1918; Vol. 1, p. 1103.

³¹ See report of surgeon-general, War Department, "Annual Report," 1918; Vol. 1, pp. 367-404.

Dix	Wrightstown, Jersey	New Jersey	25,818
		Delaware New York (part) ³²	
Meade	Annapolis Maryland	Pennsylvania Maryland District of Columbia	36,850
Lee	Petersburg, Virginia	Pennsylvania (western) West Virginia Virginia	39,859
Taylor	Louisville, Kentucky	Kentucky Indiana Illinois (southern)	27,507
Sherman	Chillicothe, Ohio	Ohio Pennsylvania (western)	36,161
Custer	Battle Creek, Mich- igan	Michigan Wisconsin (eastern)	27,516
Grant	Rockford, Illinois	Illinois (northern) Wisconsin	26,343
Dodge	Des Moines, Iowa	Iowa Minnesota North Dakota Illinois (central)	24,179
Funston	Junction City, Kansas	Kansas Missouri Nebraska South Dakota Colorado New Mexico Arizona	39,836

³² Men from northeastern New York were sent to Camp Devens; men from New York City and the adjacent counties of Westchester, Putnam, and Dutchess, and from Long Island were sent to Camp Upton; men from west of the Hudson River to Camp Dix.

Lewis	American Lake, Washington	Washington Oregon Idaho Montana Wyoming Utah Nevada California	45,463
Jackson	Columbia, South Car- olina	North Carolina South Carolina Florida	18,892
Gordon	Chamblie, Georgia	Georgia Tennessee Alabama (eastern)	21,600
Pike	Little Rock, Arkansas	Arkansas Louisiana Mississippi Alabama (eastern)	24,974
Travis	San Antonio, Texas	Texas Oklahoma	17,805

The construction of the National Army cantonments was one of the great engineering feats of the war. Each cantonment was virtually a city designed to house 40,000 men. When complete, it comprised between 1000 and 2000 wooden buildings and covered about 2000 acres of land. Rifle-range, drill, parade, and manœuver grounds covered 2000 acres more. In many cases all, or a large part, of the site had to be first cleared of woods and stumps. About twenty-five miles of roads had to be built at each cantonment, and sewers, water-supply, and lighting systems installed. Contracts were let during June, and by October³³ every cantonment was virtually ready to receive its initial contingent of drafted men. The construction of the National Guard camps was not so great an undertaking because at these camps the men were housed under canvas and not in wooden barracks. Only wooden store-houses, kitchens, mess-rooms, and hospitals had to be built.

³³ Report of secretary of war, War Department, "Annual Report," 1917; Vol. 1, p. 29.

The difference is reflected in the comparative costs of the two classes of camps. The total cost of the sixteen National Army cantonments amounted to \$140,726,473, or an average of more than \$8,000,000 apiece. The cost of the sixteen National Guard camps was only \$38,375,272, or an average of not quite \$2,500,000 for each.³⁴

At each of the National Army cantonments steps were taken to organize an infantry division.³⁵ Sixteen divisions of drafted men were thus provided in addition to the sixteen National Guard divisions already mentioned. The class of troops of which each division was composed was indicated by the designating number assigned to it. Thus all divisions composed of Regulars were to be numbered from 1 to 25, inclusive; the National Guard divisions were numbered from 26 to 42 inclusive; while the National Army divisions consisting of drafted men were numbered from 76 upward.³⁶ The National Army divisions, and the camp at which each was organized, were as follows:³⁷

Division Number ³⁸	Organized at Camp
Seventy-Sixth	Devens
Seventy-Seventh	Upton
Seventy-Eighth	Dix
Seventy-Ninth	Meade

³⁴ "Hearings before the House Military Affairs Committee on the Army Appropriation Bill for 1919"; Vol. 1, p. 895. The National Army cantonments were intended to be more or less permanent, receiving a continual influx of drafted men to replace those sent overseas while, on the other hand, the purpose of each National Guard camp was accomplished when the division which it housed embarked for France.

³⁵ 1917, General Order No. 101.

³⁶ 1917, General Order No. 88; General Order No. 115.

³⁷ 1917, General Order No. 95.

³⁸ For the States from which the men forming these divisions came, see list of cantonments, pp. 103 ff. above.

Eightieth	Lee
Eighty-First	Jackson
Eighty-Second	Gordon
Eighty-Third	Sherman
Eighty-Fourth	Taylor
Eighty-Fifth	Custer
Eighty-Sixth	Grant
Eighty-Seventh	Pike
Eighty-Eighth	Dodge
Eighty-Ninth	Funston
Ninetieth	Travis
Ninety-First ^{38a}	Lewis

The composition of an infantry division was the same for the Regular Army, National Guard, and National Army, and by general order of August 3, 1917, was prescribed as follows: ³⁹

- 1 division headquarters
- 1 machine-gun battalion of 4 companies
- 2 infantry brigades of 2 regiments and
 - 1 machine-gun battalion (3 companies) each
- 1 field artillery brigade of 3 regiments and
 - 1 trench motor battery
- 1 engineer regiment
- 1 field signal battalion
- 1 train of headquarters and military police
- 1 ammunition train
- 1 supply train
- 1 engineer train
- 1 sanitary train of 4 field hospital companies and 4 ambulance companies.

A division so composed numbered about 27,000 men.⁴⁰

With the arrival of the drafted men in camp, they were subjected to a physical examination which resulted in the re-

^{38a} An additional division, the Ninety-Second, was made up of negro troops.

³⁹ 1917, General Order No. 101; General Order No. 109.

⁴⁰ "Hearings before the House Military Affairs Committee on the Army Appropriation Bill for 1919"; Vol. I, p. 1348.

jection of many men who had successfully passed the tests given by their local boards.⁴¹ Such men as it was thought possible to get into fit condition for ultimate military service were assigned to "development" battalions; and to these battalions were also assigned illiterates and non-English speaking drafted men.⁴² Special schools were established at the cantonments for bakers, cooks, horseshoers, teamsters, saddlers, and packers,⁴³ and to these were assigned men with the necessary qualifications in sufficient numbers to meet the needs of the cantonment for these classes of service. When the training of a division had been completed, it entrained at the cantonment for an embarkation-camp, where it took shipping for service abroad; and steps were taken to form another division at the cantonment which it had left.

To care for the troop movement two embarkation-camps were established near New York and a third at Newport News, Virginia. The Northern camps were Camp Merritt, at Tenafly, New Jersey, and Camp Mills, on Long Island. Each of these had a capacity of approximately 40,000 men.⁴⁴ Camp Stewart at Newport News had a capacity of about 20,000.⁴⁵

6

In the spring of 1918 it was feared that the yield of effective troops from the first draft registration would not be sufficient to meet the severe demands made so obvious by the great German drive then in progress. Accordingly Congress

⁴¹ Report of secretary of war, War Department, "Annual Report," 1917; Vol. 1, p. 30.

⁴² Report of chief of staff, War Department, "Annual Report," 1918; Vol. 1, p. 151.

⁴³ See 1917, General Order No. 99; General Order No. 144: 1918, General Order No. 4; General Order No. 82.

⁴⁴ Report of secretary of war, War Department, "Annual Report," 1917; Vol. 1, p. 30.

⁴⁵ "Hearings Before House Military Affairs Committee on Army Appropriation Bill for 1919"; Vol. 1, p. 934.

passed a joint resolution, which was approved by the President on May 20, requiring the registration of all males who should have attained the age of twenty-one between June 5, 1917, and the day which the President should set for their registration.⁴⁶ Under this authority was conducted the second registration,⁴⁷ which resulted in the enrollment of approximately 735,834 new registrants. A further supplementary registration was held on August 24, which added 159,161 additional names to the enrollment.⁴⁸ Under the classification system which will be described in the following chapter, men subject to immediate call in the draft were placed after December 15, 1917, in Class I. These men constituted the actual effectives among the registrants. Their number, rather than the total number of registrants, represented the actual reservoir of man-power which was at hand to draw upon. In order, then, to discover the resources of man-power made available to the nation for its military effort by the first three registrations, it is necessary to look to the number of men in Class I. The figures are as follows:⁴⁹

Total registrants June 5, 1917 - September 11, 1918	10,679,814
Inductions, cancellations, and desertions before December 15, 1917 ⁵⁰	727,079
Net classified after December 15, 1917	9,952,735
Deferments and exemptions	6,973,270
Placed in Class I as of record November 1, 1918	2,979,465
Deductions for non-effectives ⁵¹	839,315
Net effectives in Class I after December 15, 1917	2,140,000

⁴⁶ "Congressional Record," Sixty-Fifth Congress, Second Session; p. 6765.

⁴⁷ Held June 5, 1918.

⁴⁸ "Second Report of Provost-Marshal General"; pp. 22-24.

⁴⁹ Tables 63 and 64, "Second Report of Provost-Marshal General"; pp. 173-174.

⁵⁰ When the classification system went into effect.

⁵¹ This group included delinquents, persons qualified for only a limited service, members of non-combatant religious bodies, persons suspended in Emergency Fleet employment, etc.

As against this figure of 2,140,000 effectives, the total inductions from January 1 to September 1, 1918, amounted to 1,772,977, leaving a remainder of less than 400,000. This total was dangerously near to being offset by the withdrawal of a large number of Class I men who enlisted in the navy and the Marine Corps. Making allowance for such enlistments, less than 100,000 effectives would have been available by September. This was the prospect which became evident to the War Department in the course of the summer of 1918, and made essential the formulation of some plan to increase the supply of man-power. There were only two ways in which this could be done, by dipping for future needs into the deferred classes, or by extending the draft ages. The first course would have produced exactly the economic disturbance which the draft system was intended to prevent, so that only the second was open. How far the draft ages would have to be extended depended upon the number of troops which it was necessary to supply. The answer to this question was given by the new military program which the chief of staff laid before the President on July 18, 1918, and which called for an army of eighty divisions in France and eighteen at home by June 30, 1919. To bring the army up to this figure required a further addition of 2,000,000 men to our forces between October, 1918, and June, 1919.⁵² It was necessary to determine what combination of age groups would yield the largest number of effectives. A computation made by the office of the provost-marshal general estimated that 1,569,720 effectives would be afforded by extending the draft to cover all males between nineteen and twenty, and between thirty-two and forty; that 1,722,870 would be afforded by the groups between nineteen and twenty, and thirty-two and forty-five; and 2,398,845 by the age groups from eighteen to twenty and from thirty-two to forty-

⁵² See testimony of General March in "Hearings Before the House Military Affairs Committee." August 19, 1918; p. 43. A division of 27,000 men required support troops back of the line in such numbers as to bring the total necessary force up to about 45,000 men for each division.

five. Only the last and most extensive of these three combinations would meet the requirements of the program.⁵³

In accordance with these considerations, a bill was drafted and introduced into Congress on August 5, 1918, to extend the registration ages down to eighteen and up to forty-five. There was a very great reluctance on the part of Congress to draft into the army youths of as low an age as eighteen; but on its becoming clear that only by so doing could the military program be met, other considerations gave way before the necessity, and the bill was passed.⁵⁴ It extended the act of May 18, 1917, by making liable to military service all male citizens and persons who had declared their intention to become citizens between the ages of eighteen and forty-five, both inclusive. It further defined these persons as those "who shall have attained their eighteenth birthday, and shall not have attained their forty-sixth birthday on or before the day set for registration," and it provided for future expanding needs by authorizing the President at later intervals to require the registration of those who from time to time should reach the age of eighteen.

On the passage of the act the President named September 12 as registration day; and on that day 13,395,706 persons were enrolled.⁵⁵ Because of the conclusion of the armistice on November 11, none of these were inducted into the service; but classifications and examinations had progressed so rapidly that on that date 270,000 effectives from the new registration were available for call.⁵⁶

7

This seems the appropriate point at which to take a general view of the mobilization of man-power effected under the pro-

⁵³ "Second Report of Provost-Marshal General"; pp. 24-25.

⁵⁴ August 31, 1918; 40 Statutes at Large; p. 955.

⁵⁵ Including tardy registrations to October 30.

⁵⁶ "Second Report of Provost-Marshal General"; p. 177.

visions of the two Selective Service Acts of May 18, 1917, and August 31, 1918. The figures are as follows:

Estimated total male population of United States, all ages, September 12, 1918	54,340,000
Ages 18-45 registered June 5, 1917-September 12, 1918	23,908,576
Military forces raised April 1, 1917-November 11, 1918	3,891,540
Military forces in existence, April 1, 1917	291,880
Estimated Class I available November 11, 1918	2,340,000
Total military forces capable of being put into the field	6,523,420

In order to appreciate the relation of the last figure to the total population of the country we must add to it the 605,952 men in the navy and Marine Corps on November 11, 1918, thus bringing up to 7,129,372 the total number of men then actually in fighting branches of the service or available for such service under existing law. This represents about 28 per cent. of the male population of the military ages from eighteen to forty-five and a little over 13 per cent. of the total male population. With this may be compared the following figures for Great Britain:

Estimated total males, all ages, 1918	22,827,261
Estimated males, 18-45	9,800,000
Called to the colors up to November, 1918	5,854,359
Percentage of males 18-45 called to the colors	59.74

Another set of figures shows the parts played in the increase of our army between April 1, 1917, and November 11, 1918, by voluntary enlistment and the selective draft respectively:^{56a}

	Increase	Per Cent. of Total Increase
Total Increase in the Army		
April 4, 1917-November 11, 1918	3,893,340	100.
By commissions granted	203,786	5.23
By induction	2,810,296	72.18
By enlistment	877,458	22.54
Regular Army	390,874	10.04

^{56a} This table is reprinted from "Second Report of the Provost-Marshal General"; p. 227. The figures display certain obvious inconsistencies which the provost-marshal general explains as due to duplication.

National Guard	296,978	7.63
Reserve Corps (and National Army)	189,606	4.87
United States Guards ⁵⁷		

As has already been remarked, these figures afford no dependable criterion of the number of men who would have volunteered in the absence of compulsory liability because of the strong influence of the draft on volunteering.

8

Under the quota system of apportionment with its accompanying allotment of credits, the ratio in which the various States contributed to the enlargement of the army between April 1, 1917, and November 11, 1918, was proportioned so far as possible to their available supply of man-power. The largest number of men was accordingly contributed by New York — 342,620 in all, of whom 89,031 entered the army by voluntary enlistment and 253,589 by draft. Pennsylvania came second with a total of 279,882 — 78,671 by enlistment and 201,211 by draft. The third place was occupied by Illinois with a total of 239,421 — 61,938 by enlistment and 177,483 by draft. These were the only three States contributing more than 200,000. Ohio, Texas, Michigan, Missouri, Massachusetts, and California in the order named contributed each more than 100,000. Full figures for all the States are given in the footnote.⁵⁸

⁵⁷ This was a body organized from rejected selectives, persons above the draft age, etc., for guard duty and plant protection in the United States. See report of chief of militia bureau, War Department, "Annual Report," 1918; Vol. 1, p. 1154.

⁵⁸ Contributions of the States to the increase of the army, April 1, 1917–November 11, 1918, in the order of number of men contributed:

	By Voluntary Enlistment	By Induction	Total
New York	89,031	253,589	342,620
Pennsylvania	78,671	201,211	279,882
Illinois	61,938	177,483	239,421
Ohio	48,885	138,148	187,033

Quotas for the first levy of 687,000 drafted men were allocated among the States on the basis of gross population. This method, as has been pointed out, was essentially unfair, in that it bore with undue heaviness on States and localities having a large population of aliens or persons for other reasons exempt from draft service. This became the more evident with the adoption of the classification system, whereby all men immediately available for military service were grouped in Class I, the other classes being deferred on the ground of dependency, of occupation in an essential employment, or some similar reason. The adoption of this system carried with it as a necessary corollary the basing of quotas upon immediate availability for service. Without such a rule we should have been before long confronted with the intolerable situation of having one community furnishing its contingents from Class I

	By Voluntary Enlistment	By Induction	Total
Texas	37,704	117,395	155,099
Michigan	32,403	96,480	128,883
Missouri	29,863	92,843	124,706
Massachusetts	41,985	76,567	118,552
California	38,992	67,067	106,059
New Jersey	28,333	71,390	99,723
Indiana	25,847	69,749	95,596
Minnesota	20,272	73,680	93,952
Wisconsin	22,349	70,982	93,331
Iowa	26,389	66,864	93,253
Georgia	14,160	66,841	81,001
Oklahoma	14,105	64,941	79,046
Tennessee	13,563	59,878	73,441
Kentucky	13,934	58,330	72,264
Alabama	9,562	59,755	69,317
North Carolina	10,573	58,441	69,014
Virginia	10,556	58,337	68,893
Louisiana	7,570	56,205	63,775
Arkansas	11,699	49,312	61,011
Kansas	18,217	41,705	60,122
West Virginia	7,359	45,355	52,714
Mississippi	9,044	43,362	52,406
South Carolina	6,505	44,059	50,564

while another locality would have been drawing upon, say, Class IV. Such a result was contrary to the whole spirit and purpose of the classification system. Class I had to be exhausted nationally before a more deferred class could be made subject to military duty.⁵⁹ Accordingly a joint resolution was introduced in Congress on January 15, 1918, authorizing the President to apportion quotas not by population but by the number of men in Class I. As further voluntary enlistment of men in this class had already been prohibited, the resolution also provided for a repeal of the provision requiring the deduction of credits for enlistments.⁶⁰ This resolution was

	By Voluntary Enlistment	By Induction	Total
Connecticut	13,151	32,539	45,690
Nebraska	14,416	21,807	44,223
Maryland	10,144	33,867	44,011
Washington	12,761	28,686	41,447
Montana	7,331	27,340	34,671
Colorado	9,670	22,858	32,528
Florida	6,834	24,916	31,750
South Dakota	7,083	21,255	28,338
Oregon	10,626	16,158	26,784
North Dakota	6,611	18,595	25,205
Maine	7,290	15,266	22,556
Idaho	4,955	12,556	17,511
Rhode Island	5,436	11,176	16,612
Porto Rico	756	15,734	16,490
Utah	5,335	10,788	16,123
District of Columbia	4,442	9,631	13,073
New Hampshire	4,408	8,404	12,812
New Mexico	3,649	8,862	12,511
Wyoming	3,554	7,923	11,477
Arizona	1,854	8,113	9,967
Vermont	3,088	6,629	9,717
Delaware	2,003	4,993	6,996
Hawaii	267	5,466	5,733
Nevada	1,888	3,164	5,052
Alaska	143	1,962	2,105
Not allocated	254	....	254

⁵⁹ "Second Report of Provost-Marshall General"; p. 5.

⁶⁰ *Ibid.*; p. 216.

finally passed on May 16, 1918.^{60a} The three months' delay between the introduction of the resolution and its passage brought about a situation which well illustrates the administrative confusion and uncertainty entailed by the leisurely processes of Congressional action. In the interval new calls had to be apportioned on the old population basis and subsequently rectified after the final passage of the resolution. This threw an increased and unnecessary burden of accounting work on the office of the provost-marshal general.

9

The first units of the American Expeditionary Force reached France in June, 1917. The subsequent growth of the army overseas as compared with the strength of the army in the United States in corresponding months is shown in approximate figures by the following table⁶¹:

	Date	In United States and Foreign Possessions	In the American Expeditionary Force	Total
1917	April 1	190,000		190,000
	July 1	480,000	20,000	500,000
	August 1	516,000	35,000	551,000
	September 1	646,000	45,000	691,000
	October 1	883,000	65,000	948,000
	November 1	996,000	104,000	1,100,000
	December 1	1,160,000	129,000	1,189,000
1918	January 1	1,149,000	176,000	1,325,000
	February 1	1,257,000	225,000	1,482,000
	March 1	1,386,000	253,000	1,639,000
	April 1	1,476,000	320,000	1,796,000
	May 1	1,529,000	424,000	1,953,000
	June 1	1,300,000	722,000	2,112,000
	July 1	1,384,000	996,000	2,380,000
	August 1	1,365,000	1,293,000	2,658,000
	September 1	1,425,000	1,576,000	3,001,000
	October 1	1,599,000	1,834,000	3,433,000
	November 1	1,672,000	1,993,000	3,665,000

^{60a} 40 Statutes at Large; p. 554.

⁶¹ Secretary of war, annual report, in War Department, "Annual Report," 1918; Vol. 1, p. 11.

This table shows the marvelous troop movement which took place in the late spring and summer of 1918—a movement worthy to be called, as Secretary Baker has called it, the “transport miracle.” To tell the story in his own words:

Movement of troops overseas began, at the earnest solicitation of our co-belligerents, very soon after our entrance into the war. May, 1917, saw the despatch abroad of a selected personnel to the number of 1718. In June 12,261 troops and 2798 marines were embarked. By the end of the year, as the former German liners came into service, embarkations increased to a rate of 50,000 a month. By the end of December 187,916 troops and 7579 marines had been embarked. At this point negotiations were entered into with the British Government by which three of its big fast liners and four smaller troop-ships were definitely assigned to the service of our army. In March the movement jumped to 83,782 troops and 1081 marines. It was in this month that the great German spring drive took place in Picardy, with a success that threatened to result in a German victory. Every ship that could be secured was pressed into service, and the aid furnished by the British was greatly increased. It was then that the transport miracle took place. In April 117,205 troops and 1432 marines were embarked; in May 244,344 troops and 1606 marines; in June the numbers were 277,973 and 777. Before the first of July, 1,000,000 men had been embarked. The July record exceeded all expectations, the number of troops embarked being 306,185, and before the end of October the second million men had sailed from our shores. During the three months, June, July, and August, 875,753 men were embarked, and if May be added, the total for the four months is 1,121,703. When the armistice was signed, the total embarkations amounted to 2,005,169 troops and 30,665 marines.

No troop movement such as that of last summer [1918] had ever been contemplated, and no movement of any such number of troops by water such a distance and in such a time ever occurred. The performance stands unique in the world's history. Furthermore, this performance wrought a decisive effect upon the world's history at one of its great critical junctures.

Credit for this movement must be shared with the Allies, and with the British in particular, since approximately half of the troops were carried in their ships. At the same time it must be recognized that under the pressure of the critical situation on the western front, ways were found to increase the loading of our own transports by as much as 50 per cent., and that our transports exceeded those of the Allies

both in the extent to which they were loaded and the speed of their turn-around.⁶²

Secretary Baker's report contains an interesting comparison between the development of the British and American expeditionary forces. "The British forces in France climbed to one million men in the fall of 1915, and to a high figure of slightly more than two million troops in the summer of 1917, three years after England entered the war. In nineteen months after the United States entered the war, we were represented overseas by an army of two million men. The growth of the American force was thus twice as rapid as that of the British force. It must be borne in mind that the British practically from the beginning used large numbers of men to fill gaps left by casualties, while the American troops could for many months apply practically every man to building up the force. But, considering the difficulties of overseas shipment, of establishing thousands of miles of communication, of mobilizing and supplying such an enormous army operating on foreign soil, the building up of the American Expeditionary Force must rank as one of the great military achievements of all time."⁶³

The growth of the various arms of the service from the outbreak of the war to the conclusion of the armistice is shown by the following table⁶⁴:

	March, 1917	November, 1918
Infantry and machine-gun	85,000	974,000
Engineer	3,000	394,000
Field artillery and ammunition train . .	9,000	389,000
Medical	7,000	300,000
Quartermaster	8,000	228,000
Coast artillery	21,000	137,000
Ordnance	1,000	64,000

⁶² Annual report of secretary of war, in War Department, "Annual Report," 1918; Vol. 1, p. 30.

⁶³ *Ibid.*; p. 12.

⁶⁴ *Ibid.*; p. 13.

	March, 1917	November, 1918
Signal	3,000	52,000
Air service . . . . .	....	202,000
Cavalry	22,000	29,000
Motor transport . . . . .	....	103,000
Militia Bureau . . . . .	....	27,000
Chemical warfare . . . . .	....	18,000
Tank . . . . .	....	14,000
Men in training . . . . .	....	549,000
All other	31,000	185,000
Total	190,000	3,665,000

10

The immense and rapid expansion of the army outlined in the foregoing paragraph confronted the War Department from the outset with the problem of providing a sufficient supply of officers. Statutory authority was given in the Selective Service Act of May 18, 1917, the provision reading as follows:⁶⁵

The President is hereby authorized . . . to provide the necessary officers . . . for the forces hereby authorized . . . by ordering members of the officers' reserve corps to temporary duty in accordance with the provisions of [the National Defense Act], from the members of the National Guard drafted into the service of the United States, from those who have been graduated from educational institutions at which military instruction is compulsory, or from those who have had honorable service in the Regular Army, the National Guard, or in the volunteer forces, or from the country at large; by assigning retired officers of the Regular Army to active duty with such force . . .; or by the appointment of retired officers and enlisted men, active or retired, of the Regular Army as commissioned officers in such forces.

The officers' reserve corps had been established, as we have seen, by the National Defense Act of 1916; but the number of officers who had been commissioned in it in the short ten months of its existence was naturally insufficient to meet the demand caused by the increase of the army for the war. It was decided therefore to offer a three months' course of

⁶⁵ Act of May 18, 1917; Section 1, sub-section 3.

intensive training to qualified civilians at summer training-camps modeled on the Plattsburg idea. These camps were established under authority of Section 54 of the National Defense Act:

The secretary of war is hereby authorized to maintain upon military reservations or elsewhere, camps for the military instruction and training, of such citizens as may be selected for such instruction and training upon their application and under such terms of enlistment and regulation as may be prescribed by the secretary of war.

Sixteen camps were established, located at Plattsburg Barracks, New York (two camps); Madison Barracks, New York; Fort Niagara, New York; Fort Myer, Virginia; Fort Oglethorpe, Georgia; Fort McPherson, Georgia; Fort Benjamin Harrison, Indiana (two camps); Fort Sheridan, Illinois (two camps); Fort Logan H. Roots, Arkansas; Fort Snelling, Minnesota; Fort Riley, Kansas; Leon Springs, Texas; and the Presidio of San Francisco, California.

Before the opening of the training-camps, 7957 officers had been commissioned in the officers' reserve corps. They were required to attend these camps, either as instructors or students, and were subject to regrading or discharge in accordance with the War Department's policy of commissioning officers only on the basis of demonstrated ability after three months' observation and training.

In addition to these reserve officers, somewhat more than 30,000 candidates, selected from a much larger number who applied, reported at the camps for training, a rough attempt being made to apportion the accepted candidates among the States. At the conclusion of this first series of camps in August, 1917, a total of 27,341 candidates were graduated and commissioned. The great majority—more than 25,000—were commissioned in the officers' reserve corps. The remainder, selected by a special examination,⁶⁶ were given provisional commissions as second lieutenants in the Regular

⁶⁶ Report of adjutant-general, War Department, "Annual Report," 1918; Vol. 1, p. 176.

Army⁶⁷; and in this way was filled up the roster of officers of the latter organization, to which substantial additions were made necessary by reason of the increase in its size authorized by the Selective Service Act. The results obtained from the first series of camps were so satisfactory that a second series was held, lasting from August 27 to November 27, 1917, which were attended by approximately 20,000 students and which resulted in the commissioning of 17,237 officers. A third series of camps began on January 5, 1918, and lasted until April 19. From this series of camps 11,657 candidates were graduated and commissioned.

The first two series of camps were made up almost entirely of candidates drawn from civil life, and because of the need for officers of all grades commissions were granted up to the grade of colonel. Approximately 90 per cent. of the students admitted to the third series of camps, on the other hand, were selected from the enlisted personnel of the army, and the other 10 per cent. from civilians of draft age who had received military training at educational institutions where such training was conducted under the direction of an army officer. The candidates in this series of camps were, upon successful completion of the course, all listed as eligible for appointment as second lieutenants. Because of the character of the attendants, the third series of training camps were situated at National Guard camps and National Army cantonments.⁶⁸

The commissions issued to successful candidates at the first three series of camps were distributed among the several grades and arms of the service as follows:

	Col- onel	Lieu- tenant- Colonel	Major	Cap- tain	First Lieu- tenant	Second Lieu- tenant	Aggre- gate
Infantry	2	1	185	3,379	7,665	23,346	34,578
Cavalry	.	.	18	251	258	1,371	1,898

⁶⁷ Under Section 23 of the National Defense Act.

⁶⁸ Twenty-two of the schools were located at such camps and cantonments, one was located at Fort Oglethorpe, Georgia, and one at Leon Springs, Texas.

	Col- onel	Lieu- tenant- Colonel	Major	Cap- tain	First Lieu- tenant	Second Lieu- tenant	Aggre- gate
Field artillery	37	849	2,128	8,540	11,554
Coast artillery	1	329	575	1,158	2,063
Engineers	50	419	747	750	1,966
Quartermaster	3,067	3,067
Statistical	75	77	152
Ordnance	2	147	407	211	767
Signal corps	1	55	519	687	1,262
Total	2	1	294	5,429	12,374	39,207	57,307

A fourth series of officers' training schools was established on May 15, 1918, with an initial enrollment of 13,114. These schools were located in twenty-four National Guard and National Army divisions. Under the regulations, they were an integral part of the division wherein located, and if the division moved, the school was to accompany it. Because, however, of the urgent need for line officers in this country to conduct the training of the draft army, these schools were separated from their divisions. Five central training schools were subsequently established at permanent replacement-camps, and candidates from such of the divisions as were scheduled for early shipment overseas were transferred to these central schools. The schools were specialized, some being devoted to the training of infantry officers exclusively, others to training for machine-gun, and field and coast artillery service. On November 1, 1918, there were about 46,000 candidates for commissions in officers' training schools.⁶⁹

When the final military program, calling for an army of eighty divisions in France and eighteen at home by June 30, 1919, was adopted, the problem of the supply of officers became acute. The plan devised to meet it was the students' army training corps. This scheme called for inducting into military service the student body of virtually all the colleges and uni-

⁶⁹ For details as to officers' training-camps and schools, see War Department, "Annual Report," 1917; Vol. 1, pp. 21, 166; *ibid.*, 1918. Vol. 1, pp. 17, 176, 183.

versities of the United States, 518 in all, and for the use of their plants to fit these students for officers, to be drawn on as qualified. Under this scheme approximately 145,000 youths were inducted into service in September, 1918, for military training during the continuance of their studies.⁷⁰

When the National Guard was inducted into Federal service on August 5, 1917, 12,115 officers came in with their organizations. Between that date and May 10, 1918, a considerable number of these officers were discharged, or resigned, or were otherwise separated from the Federal service. The figures are as follows⁷¹:

Grades	Cause of Separation				Total
	Physical Disability	Resignation	Action of Efficiency Board	Other Causes	
Major-general	1	...	...	...	1
Brigadier-general	10	3	3	...	16
Colonel	18	9	15	...	42
Lieutenant-colonel	17	5	11	...	33
Major	57	33	30	...	120
Captain	148	175	83	...	406
First lieutenant	171	246	108	2	527
Second lieutenant	89	177	102	...	368
Total	511	648	352	2	1513

Virtually all discharges were made under the provisions of Section 9 of the Selective Service Act, which authorized the President to discharge such officers of the temporary forces raised under the act as he deemed it desirable to discharge in order to promote the public service. The discharges were made upon recommendation of boards of examining officers after the proceedings and all papers in each case had been reviewed by the War Department. It was natural that a certain amount

⁷⁰ See War Department, "Annual Report," 1918; Vol. 1, p. 160;

"Second Report of Provost-Marshal General"; p. 4.

⁷¹ See War Department, "Annual Report," 1918; Vol. 1, p. 1109.

of dissatisfaction should have resulted in certain quarters, which called forth from the Militia Bureau of the War Department the following explanation:

Some newspapers and a few high officials in public life were inclined to criticize the War Department for discharging so many National Guard officers, and were wont to call attention to the fact that the proportion of officers discharged from the National Guard was much greater than that discharged from the Regular Army, National Army, and reserve corps. While this is an undisputed fact, it can be satisfactorily explained. A large number of National Guard officers resigned and many new ones were commissioned in the National Guard after the Mexican border service to fill vacancies and to supply officers for the new National Guard units organized just prior to the draft, who were not carefully selected by the States and who had very little or no military training. Some lacked the necessary basic education and physical qualifications for officers. The appointment of these officers was authorized subject to examination prescribed by the War Department under the act of June 3, 1916, but owing to the demand for Regular Army officers for other important duties, this bureau was unable to secure sufficient Regular Army officers for duty as inspector instructors with the National Guard, to take up the matter of examining officers to determine their fitness for commissions. . . . Thus little opportunity was afforded the new National Guard officers to qualify for their grades. After three or four months' active field service under Federal supervision, it is natural that a large number would be eliminated on account of physical and professional disqualifications, especially since a large number of them commissioned by the several States had not been carefully selected.

Officers of the Regular Army are very carefully selected, and are required to undergo a physical examination each year, and a severe mental and physical examination for each grade. Those unfitted are being constantly weeded out and only those who are professionally and physically qualified for active service are retained. In the case of the reserve officers, who constituted the bulk of the officers needed in the organization of the National Army, and to fill vacancies in the National Guard, these men were carefully selected as to basic education and physique. Then, after three months of intensive, practical field training, only those who passed the severe tests as to professional and physical qualifications were commissioned. So that, for these reasons, it is obvious that there should have been a much larger proportionate number of National Guard officers discharged on account of physical

and professional disqualifications than there were from the United States Army and reserve corps.⁷²

In addition to the supply of officers drawn from the above-mentioned sources, a large number of technically qualified persons were commissioned directly from civil life for special duty with the various staff corps, the quartermaster corps, ordnance corps, signal corps, engineer corps, medical corps, chemical warfare service, and general staff. The entire number of persons commissioned between April 1, 1917, and November 11, 1918, was 203,786.⁷³

II

It is beyond the province of this book to tell the story of military operations; but in order to indicate the comparative parts played in France by organizations made up mainly of regulars, National Guardsmen, and drafted troops respectively, a few notes seem desirable to designate the divisions which participated most actively in the fighting. It will be remembered that divisions numbered below 25 were Regular Army divisions, those numbered from 26 to 42 were National Guard divisions, and those numbered from 76 upward were composed of drafted men. The States from which particular divisions of Guardsmen and drafted men were drawn can be found by referring back to the tables on pages 101 and 106.

The first American division to go into line on the actual fighting front as a complete unit was the First, which took its place in the Montdidier salient on the Picardy front on April 26, 1918. This was the division which on May 28 captured the town of Cantigny.

When the Germans made their great offensive at the end of May and pushed rapidly forward toward the river Marne and Paris, the Second and Third Divisions went into line on the Marne. It was the Second Division with a detachment of

⁷² Report of chief of militia bureau of War Department, "Annual Report," 1918; Vol. I, p. IIII.

⁷³ "Second Report of Provost-Marshal General"; p. 227.

marines which met the advancing Germans on June 15 in the Belleau Woods, and checked their progress.

Elements of the Forty-second Division were in the line east of Rheims against the German offensive of July 15. The Third Division and elements of the Twenty-eighth Division also took part in meeting this advance.

On July 18 the great allied counter-offensive toward Soissons began, and in this the First and Second American divisions were given a leading position. As the movement advanced the Twenty-sixth and Third Divisions came into action, and later the Forty-second and Thirty-second. When the movement was concluded, the Forty-second was relieved by the Fourth and the Thirty-second by the Twenty-eighth, while the Seventy-seventh also was given a position in the line.

The Soissons counter-offensive resulted in the reduction of the great Marne salient. The attention of the Allies was next directed toward reducing the St. Mihiel salient. In this movement three American corps participated, including the following divisions: First, Second, Third, Fifth, Twenty-sixth, Thirty-ninth, Eighty-second, and Eighty-ninth. The movement was successful and resulted in the establishing of a new line.

The St. Mihiel offensive was at once succeeded by an American offensive along the Meuse and in the Argonne. In the first phase of this offensive the divisions making up the American army were the following: Fourth, Twenty-eighth, Thirty-third, Thirty-fifth, Seventy-seventh, Seventy-ninth, Eightieth, Eighty-seventh, Ninety-first. The Third, Thirty-second, and Ninety-second served as corps reserves, and the First, Twenty-ninth, and Eighty-second as army reserve.

The offensive in the Argonne, which was notably successful, lasted from September 26 to November 6. In all, the following divisions were engaged: First, Second, Third, Fourth, Fifth, Twenty-sixth, Twenty-ninth, Thirty-second, Thirty-third, Thirty-fifth, Thirty-seventh, Forty-second, Seventy-seventh, Seventy-eighth, Eightieth, Eighty-second, Eighty-

ninth, Ninetieth, and Ninety-first. The First, Fifth, Twenty-sixth, Forty-second, Seventy-seventh, Eightieth, Eighty-ninth, and Ninetieth were in the line twice. Of this offensive General Pershing said: "Although some of the divisions were fighting their first battle, they soon became equal to the best."

In addition to the divisions already mentioned, which fought with the American army proper, certain others were detached for service in British and French sectors of the front. This was the case with the Twenty-seventh, Thirtieth, and Ninety-first, which fought with the British in Belgium, and the Thirty-sixth, which saw service with the French before Rheims.⁷⁴

This brief statement covers only major operations, and other units besides those above enumerated saw actual combat service; but what has been said indicates how Regular Army units, National Guard units, and units composed of drafted troops fought indiscriminately side by side. This was the situation which was recognized by General Order No. 73, issued from Washington, August 7, 1918: "This country has but one army, the United States Army. It includes all the land forces in the service of the United States. Those forces, however raised, lose their identity in that of the United States Army. Distinctive appellations, such as the Regular Army, reserve corps, National Guard, and National Army, heretofore employed in administration and command, will be discontinued, and the single term, the United States Army, will be exclusively used."

⁷⁴ The material of these paragraphs is from General Pershing's report to the secretary of war, War Department, "Annual Report," 1918; Vol. 1, pp. 74-82.

CHAPTER V

SELECTION FOR SERVICE

THE foregoing chapters have attempted to trace the evolution of a policy. The first two chapters outlined the plans which were proposed and the measures which were taken in peace years to provide for the raising of troops in the event of a possible emergency. The two following chapters sketched the steps which were actually taken when the emergency broke. What stands out is the size of the crisis when it came. No mere increase in the strength of the Regular Army and no mere auxiliary force such as Mr. Garrison's proposed Continental Army would have gone far toward meeting it. It called for an effort of the nation such as could not be anticipated and such as is not likely to be needed more than once or twice in a century. It is the nature of emergencies to demand exceptional measures peculiar to their own circumstances, and thus to furnish no dependable criterion for normal policy. For the United States to be prepared at all times to put in immediate readiness an army of the size which it contributed to the war with Germany would involve unnecessary and unthinkable economic waste. But the United States may perhaps at some unexpected moment be again called on to make another such effort, and the success of the measures taken in 1917-18 accordingly makes the policy of those years worth study as a possible model for action in the future.

There is another reason why the Selective Service Act deserves to be studied. An immediately available supply of efficiently trained soldiers is not the only or surest element of national defense. What is needed is something more impalpable and deeper. It is a national spirit — a spirit of unity

and fellowship, a feeling among the citizen body of being common partners in a common national enterprise. This is a spirit which becomes peculiarly explicit and articulate in times of war, but the basis of it must be laid down deep in the national life in time of peace for it to be truly effective when the war-time need arises. Where such a basis does not exist, military effort, however well organized, is likely to prove ruinous. Rather, where it does not exist, military effort simply cannot be well organized. Accordingly, the best preparation for war is the creation in peace years of a real and solid national unity. The most essential requirement of this task is emphasized in the central idea of the Selective Service Act. The idea behind that statute was that the life of the nation is an organic whole, which can only be effective when the needs and claims of each of its constituent groups or classes are coördinated with the needs and claims of the rest. The act was a recognition that in time of war the claims of the fighting forces must be balanced against the claims of productive industry and of dependent classes of the population. It thus points the way to a recognition in times of peace as well that national effectiveness depends on a just balancing of the claims of competing interests and competing groups. The act was framed on the theory that in war-time there is a particular post for which each citizen is best fitted by capacity and training, and that every effort should be made to place him there. The principle of selective service is not less important to the peace-time effectiveness of the nation. In short, the act rested on an insight into one of the first principles of sound politics; and accordingly an examination of its detailed applications of that principle to practice ought to prove fruitful.

There is one more reason why a study of the way the act operated should be of interest. The coördination of effort which it called for required a survey and classification of the nation's human resources which yielded information of first-rate importance. This information is of value for other than

military purposes, and sheds light on conditions which students of public questions must henceforth take into account. It yielded a mass of national statistics the significance of which should be appreciated.

The purpose of the present chapter is to deal with the working of those features of the act which were designed to promote selection for service. The rules will be outlined which were applied to determine that one man should bear arms, that another should remain in industrial employment, and that a third should be transferred from one occupation to a different one regarded as more essential. Under the provisions of the act some of the considerations bearing on decisions of this kind were (1) alienage, (2) conscientious scruples against war, (3) dependency, (4) industrial occupation, and (5) physical fitness. Each of these will be taken up in turn.

I

Under international law a neutral or friendly alien who is a permanent resident of a country is liable to military service at the call of that country, as otherwise he would be receiving the benefits of national life without sharing in its burdens.¹ The Selective Service Act, however, imposed draft liability only on such aliens of friendly or neutral nationality as had declared their intention to become citizens of the United States.² Aliens who had not declared such an intention were exempted from liability. All male persons, however, of the stipulated ages were required by the act to register.³ The registration figures accordingly show the proportion of aliens

¹ By international law an enemy alien cannot be forced to serve, as otherwise he would be compelled to fight against his own country. See E. M. Borchard, "Diplomatic Protection of Citizens Abroad," New York, 1916; pp. 64-69: John Bassett Moore, "Digest of International Law"; Vol. IV pp. 51 ff.

² Section 2.

³ Section 5.

to citizens among male persons of the draft ages. The figures are as follows:

Total persons registered, June 5, 1917 . . .	9,780,535
Native-born citizens	7,904,253
Naturalized citizens	259,470
Aliens	1,616,812
Total persons registered, June 5—August 24, 1918 .	899,279
Native-born citizens	801,870
Naturalized citizens	11,215
Aliens	86,194
Total persons registered, September 12, 1918 .	13,228,762
Native-born citizens	9,988,703
Naturalized citizens	1,065,982
Aliens	2,174,077
Total persons registered, all three registrations .	23,908,576
Native-born citizens	18,694,526
Naturalized citizens	1,336,967
Aliens	3,877,083

These figures ⁴ indicate that of male persons in the country between the ages of eighteen and forty-five, 16.22 per cent. were not citizens. The large number of aliens in the third registration, including the older groups, is especially striking. Another interesting set of figures are those which show the proportion of aliens who had declared their intention to become citizens to the total number of alien registrants⁵:

	Number	Per-centage
Aliens registered June 5, 1917	1,616,812	....
Declarants	518,216	32.05
Non-declarants	1,098,596	67.95
Aliens registered, June 5—August 24, 1918 .	86,194	....
Declarants	20,147	23.37
Non-declarants	66,047	76.63
Aliens registered, September 12, 1918 . .	2,174,077	....
Declarants	731,819	33.66

⁴ "Second Report of Provost-Marshall General"; p. 89.

⁵ "Second Report of Provost-Marshall General"; p. 89.

	Number	Per-centage
Non-declarants	1,442,258	66.34
Total aliens, all three registrations . . .	3,877,083	...
Declarants	1,270,182	32.76
Non-declarants	2,606,901	67.24

Here again the figures are challenging. More than 67 per cent. of the male aliens of draft age in the country had not taken out their first papers—had made no step, that is, toward acquiring American citizenship.

Of the 3,877,083 aliens registered, 1,011,502 were of enemy nationality and therefore not available for draft service. Of the remainder only declarants were available. The problem then arose of developing a procedure which would enable non-declarant aliens to take advantage of the exemption created by the law in their favor. The office of the provost-marshal general determined to go on the theory that Congress intended to establish a presumption that every registrant was a citizen of the United States; that this presumption should stand until the contrary was proved; and that therefore an alien claiming exemption must establish his case. This position was, except in a single case,⁶ sustained by the Federal courts. In *Angelus vs. Sullivan*, 246 Fed., 54, the court says: "Whether a person is a non-declarant alien or not is a question of fact, exactly the same as whether a person is an ordained minister of religion, or a student for the ministry in a recognized theological school, and the clear purpose of the act was that the fact should be ascertained by the administrative boards which the President was authorized to create. Any other method would have made the act unworkable.⁷ . . . It must be further assumed that it was impossible for the local and district boards or any other Government agencies independently to ascertain whether or not a relator was a non-declarant

⁶ *Ex parte Beck*, 245 Fed., 967. *Contra*, *ex parte Lamachia*, 250 Fed., 814; *Napore vs. Rowe*, 256 Fed., 832.

⁷ As to the finality of the findings of a draft board, see below.

alien; for such an inquiry would involve a search of the records of the naturalization courts, Federal and State, throughout the entire country to ascertain a negative — to wit, whether a person had not declared his intention — an obviously impossible and absurd inquiry. The whole plan of the act is undoubtedly to require that those who claim exemption shall affirmatively present their claim to the appropriate body, so that that body can determine as a fact whether the person falls within the exempted classes. When, therefore, no such claim is presented, and the proceedings of the local and district boards are regular in every respect, the court cannot go outside the proceedings of the boards to determine independently something which the act required should be determined by these boards." Only when the boards, having jurisdiction, failed to give the complainant parties a fair opportunity to be heard and present their evidence was the action of such boards to be reviewed by the courts of law.⁸

The instructions to the local boards required them to give every alien a full opportunity to be heard on any claim of exemption that he might have. Furthermore, local boards were authorized to inquire into the status of any registrant when they had reason to believe that he was a non-declarant alien who had failed through ignorance to claim exemption, and if they found that to be the case, the boards were required to exempt him. Fifty-three thousand cases were referred to the Naturalization Bureau by local boards in efforts to establish whether or not particular aliens had filed declarations of intention. The regulations of November 8, 1917, provided that no non-declarant alien should thereafter be inducted until he had expressly waived his right to exemption. At the same time legal advisory boards were established for the purpose of aiding registrants, and this measure eliminated a good deal of the misunderstanding which

⁸ See Department of Justice, "Interpretation of War Statutes, Bulletin," No. 67; p. 9.

had previously existed. "Without a doubt," says the provost-marshal general, "there were local instances of carelessness and bias which led to improper inductions."⁹ These produced a number of diplomatic protests which resulted in the taking of administrative measures. One of these consisted in authorizing, at the mere request of the proper diplomatic representative, the discharge from the army of individual non-declarant aliens already inducted. The total number of discharges reported as having been made under this authority between February 10 and November 22, 1918, totaled, however, only 621.

If some non-declarant aliens were thus improperly inducted into the army and retained there, the objection to this course is to be based solely on the fact that it was a violation of the provisions of the Selective Service Act. If Congress had intended such aliens to be liable for service, the law should have so provided; in fact, it provided the contrary. From the point of view, however, of the aliens themselves, it cannot be maintained that they were subjected to any unusual or unjust hardship in being called on to bear arms in behalf of the country where they had chosen to make their homes and livelihood, and whose protection they enjoyed.

With respect to declarant aliens, a difficulty arose concerning nationals of foreign countries which had treaties with the United States providing reciprocal exemptions from military liability for citizens of either country residing in the other. The rights arising under such treaties were of course more insistently pressed by countries which remained neutral in the war than by our co-belligerents. With the latter a series of conventions were concluded during 1918 which provided that alien residents should be allowed a fair opportunity to enlist in the forces of their own governments,¹⁰ and that, failing to do this within a prescribed time, they should become subject to the military service regulations of the country in which they

⁹ Second report; p. 97.

¹⁰ Forty-eight thousand men were recruited in the United States for the British army.

were residing. Such conventions were concluded with Great Britain, France, Greece, and Italy.¹¹

Diplomatic representatives of neutral treaty countries protested against subjecting their nationals, even though declarants, to the operation of the selective service law. It was impossible for the President to go counter to the terms of the act by exempting such declarants, but it remained within his authority as commander-in-chief to discharge them after induction. This was the course adopted, and on April 11, 1918, a Presidential order was issued providing that both declarant and non-declarant aliens from treaty countries should be discharged upon request of the diplomatic representatives of the countries of which they were citizens.¹²

The chief problem which arose in connection with alien enemy registrants was how to deal with persons who, while citizens of an enemy country like Austria-Hungary, belonged to an oppressed nationality like the Poles, the Jugo-Slavs, and the Czecho-Slovaks, and who were in fact only too eager to aid the cause of the United States and their allies.¹³ The Poles were early provided for by the permission which was granted them to recruit a Polish legion.¹⁴ The Army Appropriation Act, approved July 9, 1918, authorized the organization of a Slavic legion into which Czecho-Slovaks, Jugo-Slavs, and Ruthenians could be enlisted who were otherwise exempted under the draft.^{14a} Arrangements were completed for local boards to act as recruiting agencies for this legion, when the cessation of hostilities caused the abandonment of the plan.

The finest indication of the spirit of loyalty among the country's alien population was furnished by the large number

¹¹ With Great Britain, July 30, 1918; with France, November 8, 1918; with Italy and Greece, November 12, 1918.

¹² See "Second Report of Provost-Marshal General"; p. 99.

¹³ Alien enemies were excluded from military service by the provisions of the Selective Service Act.

¹⁴ Eighteen thousand men were recruited for the Polish legion.

^{14a} 40 Statutes at Large; p. 868.

of alien registrants naturalized during the war period. The process of naturalization was made easier by an act approved May 9, 1918, which enabled aliens, whether declarants or non-declarants, who had either enlisted or been drafted into service, to become full citizens at once.^{14b} Between the passage of this act and November 30, 1918, the number of naturalizations carried out in camp under its provisions was 155,246. When it is considered that during this period only 414,389 aliens had been placed in Class I, and that a large number of these had already been sent abroad before the act came into operation, its effectiveness is obvious, as well as the patriotism and loyalty of the mass of our foreign population.¹⁵

2

The Selective Service Act exempted from active combat service persons who, at the date of its passage, were members of well-recognized religious sects, the creed of which altogether forbade participation in warfare. Such persons, however, remained liable for kinds of service which the President should designate as non-combatant. Accordingly, registrants claiming relief from service on this ground were classified without regard to their claim, and, if otherwise qualified, were inducted into the army and assigned to duties of a non-combatant character — e. g., service in the medical corps, quartermaster corps, engineers' corps, etc.¹⁶ On the ground of religion 64,693 claims for non-combatant classification were made, and of these 56,830 were admitted by the local boards. Of such claimants, 29,679 were placed in Class I, and on examination found to be physically fit; and of these, 20,873 were actually inducted into the army before November 11, 1918.

The Selective Service Act limited exemptions on the ground

^{14b} 40 Statutes at Large; p. 542

¹⁵ For the whole matter of alienage and the draft, see "Second Report of Provost-Marshall General"; pp. 86-108.

¹⁶ These services were declared non-combatant by Presidential order of March 20, 1918.

of conscientious objection to persons whose scruples against war were outwardly attested by previous membership in a body publicly professing such scruples. In this respect the law followed the Draft Act of 1864 and departed from the provisions of the National Defense Act of 1916, which had allowed exemptions based on individual personal conviction.¹⁷ It soon became evident, however, that the latter sort of objectors would have to be dealt with. As the drafted men were received at the cantonments a considerable number were found among them who, while not members of a religious body opposed to war, professed an opposition to it based on purely personal scruples. The behavior of these men as well as of some of the recognized religious objectors became a matter of annoyance at the camps. Not only did they object to service of a directly military character, but when assigned under the provisions of the Selective Service Law to non-combatant duties, many of them refused to perform even these. "The matter of the uniform was often a sticking-point. Many an objector expressed himself as ready to take non-combatant service except for the fact that he was required to wear the uniform. This, he said, identified him with the military establishment. . . . Several testified that they could work in a civilian hospital, but could do nothing in a military hospital. They conceived it to be their duty to help the wounded and suffering provided the wounded and suffering were in civilian clothes, but it was to them absolutely wrong to do anything which would aid or comfort a man in uniform. Several objectors have told me that if a private soldier in camp were to be run down and severely hurt by an automobile, they would not pick the soldier up and carry him to a hospital because, the man being in uniform, such a service would be a military

¹⁷ National Defense Act, section 59; 39 Statutes at Large, p. 197. This ornamental part of the act after declaring that the militia should consist of all able bodied citizens and declarant aliens between the ages of eighteen and forty-five, went on to exempt specifically certain classes of persons "from militia service in a combatant capacity."

duty and contrary to their conscientious scruples.”¹⁸ In dealing with people of this sort the War Department was confronted with a problem none the less large or important because of the comparatively small number of persons involved.

The problem of the conscientious objector is significant, not because of its bearing one way or the other on the question of man-power, which it hardly affected at all, but because of the delicacy of the moral issues at stake and because it serves to illustrate the wise tolerance and broad humanism of the War Department's policy throughout. In most instances the scruples of the objector seem to have been the result of a somewhat warped and narrow outlook on the world, produced by a life spent in strange and isolated communities.¹⁹ The Mennonite objectors, of whom there were a large number, afford an illustration of objectors of this type. Major Kellogg, in his interesting book, says of these objectors: “The Mennonite is possessed of singular characteristics. His hair and beard are unkempt. He takes Leviticus 19:27 with absolute literalness: ‘Ye shall not round the corners of your heads, neither shalt thou mar the corners of thy beard.’ His trousers open only at the side and do not button, but hook together. He wears no jewelry of any kind. He shuffles awkwardly into the room—he seems only half awake. He rarely has received any education beyond the fourth or fifth grade. He has never held public office of any kind, and takes no interest in the social life of his community. He cares nothing about good roads or any form of social uplift, and in most cases he has never voted. He will tell you, perhaps, that he has ‘led a sinful life’; and when you inquire into the particular variety of vice that he has practised, you find that on one or two occasions he has attended moving-pictures, which he seems to think are very wrong indeed. . . . He will in all likelihood testify that if some brute were to break into

¹⁸ W. G. Kellogg, “The Conscientious Objector,” New York, 1919; pp. 58-60.

¹⁹ See Major Kellogg's book, particularly Chapters VI, VII, VIII, X, XIII, and XIV.

his mother's or sister's room and attempt to rape her, he would allow his mother or sister to be raped before he would shoot or otherwise injure her assailant. . . . He professes to be a great reader of the Bible, and is capable of disclosing a surprising knowledge of its contents. His Bible, well-thumbed, is sure to be somewhere in his deep pockets, and he can turn readily to almost any chapter that may be in question." ²⁰

To sympathize with an objection to war resting on the mental outlook of a man of this type requires an uncommon degree of patience. Yet, after all, if the man is sincere, as the Menonites generally were, his objection represents, in however strange and warped a form, a straining after the best of which he is capable—a stunted sort of idealism, which is idealism none the less because it is twisted. On the other hand, a number of the objectors were men of keen minds and thorough education, whose objections flowed from a theoretical social philosophy. In both cases, to crush the will of the objector by a policy of crude compulsion would have been to disregard the very motives and forces from which, in the long run, all betterment must proceed. To let the objectors shirk their duty as citizens altogether was impossible; but forceful persecution is hardly the best instrument of civic education. Sympathetic guidance is apt to prove more effective; and a realization of this dictated the tenor of the War Department's policy.

On October 10, 1917, the secretary of war issued a confidential order to the commanders of all camps in which he directed:

(1) That religious objectors should be segregated and placed under the supervision of officers specially selected with a view of insuring that the objectors would be handled with tact and consideration.

(2) That these men in their attitude of objecting to military service should not be treated as violating military laws and thereby subjecting themselves to the penalties of the Articles

²⁰ Kellogg, *op. cit.*; p. 38.

of War, but that their attitude should be quietly ignored, and that they should be handled with kindly consideration.

Attention was called to the fact that in a certain division a number of objectors, when treated in this manner, had renounced their objections and voluntarily offered their services as soldiers. Directions were given that this order should not be given out to the newspapers, as a public knowledge of the attitude of the department might well become the means of creating a large body of insincere objectors. On December 19 the provisions of the order were extended to objectors whose scruples were personal and individual, and this class of objectors was thus put on the same footing as members of organized religious bodies opposed to war.²¹

The policy of the War Department was on the whole faithfully and sympathetically carried out by the officers in the cantonments. "I have in mind," says Major Kellogg, "a major who was detailed to this work in a Southern camp. Desirous himself of overseas service, and deeply disappointed with the nature of his assignment, he yet gave to it the very best that was in him. He learned to know the men under his care, their particular obsessions, and something of their home environment. He made it his business to be with them, and understand them, and the record of his particular camp as regards the objector is a brilliant one. He succeeded in impressing the spirit of the War Department regulations upon his men, and in making them realize that there were distinct limitations to the department's tolerance. His men made little trouble and endeavored in all ways to be obedient to the rules. His greatest success was attained with those men who simply thought they were conscientious objectors or with those whose objections were not deeply and firmly rooted. Many who had, upon their arrival in camp, announced themselves as objectors, were under his guidance persuaded to see the truth as he saw it, and, in time,

²¹ Colonel J. D. Easby-Smith in "Statement Concerning the Treatment of Conscientious Objectors in the Army"; prepared and published by direction of the secretary of war, Washington, 1918; p. 17.

to abandon their objections and take their places in general service. Some of these men later served overseas in the fighting forces. The results which he was able to accomplish through gentleness and a humane intelligence, inspired by real patriotism, is ample evidence of the value such officers have been to the administration of the army. The late Major-General J. Franklin Bell, when in command of Camp Upton, designated himself as the 'specially qualified officer in charge of objectors,' and took direct personal charge of the objectors in his camp. Upton, perhaps because of its proximity to large cities, had more than its share of Socialists. General Bell spent much time and energy with his objectors, and, as a result, many of them, including not a few Socialists, were induced to take up combatant service."²²

The same testimony comes from an entirely different source. In a pamphlet entitled "Facts about Conscientious Objectors," issued by the National Civil Liberties Bureau, an organization with a strongly sympathetic attitude toward the objectors, it is said: "Most of the officers and a very large proportion of the soldiers have shown a humane regard for objectors and respect for the secretary of war's policy. A number of cases of brutality were reported. All were called to the attention of the War Department and, in most cases, satisfactorily and promptly attended to. Everything considered, the number of such cases was surprisingly small (perhaps forty in all, up to April 1, 1918). In several cases, the officers and men guilty of brutality were severely disciplined."²³

On the other hand, the War Department found its path by no means free from obstacles to the success of its policy. "As a result of our efforts to see that these men got a square deal," says Assistant Secretary Keppel, "it was sometimes charged that we were more interested in them than in the men who were willing to fight. In newspaper stories and addresses made by

²² Kellogg, *op. cit.*; p. 86.

²³ "Facts about Conscientious Objectors in the United States," published by the National Civil Liberties Bureau, New York, June 1, 1918; p. 20.

excited people some preposterous accusations were advanced; as that my wife was a Mennonite, which she is not; that the department had printed an order in German for the convenience of slackers; that the whole policy was I. W. W. propaganda in disguise. The opinion was freely expressed that the announced policy of the department would breed a million slackers for the next draft.”²⁴ Furthermore, there was a lack of uniformity in the way in which the department’s orders were executed in different localities. “You will recall,” says Mr. Keppel in his report to Secretary Baker, “the contrast in the manner in which these men were treated at the different camps. Where their sincerity was taken for granted, as for example by General J. Franklin Bell at Camp Upton, out of a division made up from a cross-section of the population of New York City, only thirty-odd men refused to accept military service. At another camp, where it was assumed they were insincere, forty men were court-martialed and given long sentences for refusing to sow grass-seed and plant flowers around the base-hospital, an order obviously framed purely for the purpose of revealing the insincerity of the objector. At another camp the sanitary regulations regarding these men were interpreted in such a manner as to call forth a severe condemnation from the inspector-general of the army.”²⁵

The policy of the War Department resulted in bringing most of the objectors in the camps to accept in the course of time some sort of service, combatant or non-combatant. Pressure of many kinds was brought to bear to that end. Most of those who upon arriving in camp had held themselves out as conscientious objectors ultimately accepted some form of service. By March 20, 1918, only about 4000 remained through the whole country who persisted in their attitude. To deal with these men a special board of inquiry was constituted,²⁶ consist-

²⁴ “Statement concerning the Treatment of Conscientious Objectors in the Army,” prepared and published by direction of the secretary of war, Washington, 1918; p. 9.

²⁵ *Ibid*; p. 8.

ing of Major R. C. Stoddard of the judge-advocate general's office, Judge Julian W. Mack of the Federal courts, and Dean Harlan F. Stone of the Columbia University Law School. The board was appointed solely to inquire into and determine the sincerity of objectors. Its function was to examine personally all objectors who persisted in declining to perform non-combatant service, or who had not been assigned to non-combatant service by their camp commander because in his judgment they were insincere. For such men as the board should find to be sincere a new alternative was opened by extending to their case the provisions of an act of Congress passed March 16, 1918.²⁷ This act permitted the granting of furloughs to inducted men to enable them to engage in agriculture. By virtue of this authority an order of June 1 provided that such objectors as should be adjudged sincere by the board of inquiry might be furloughed without pay to agricultural service, on condition (1) that a monthly report as to the industry of each person so furloughed should be received from a disinterested source, and that the furlough should terminate automatically on the receipt of a report that he was not working to the best of his ability; (2) that no person should be recommended for such furlough who did not voluntarily agree that he should receive for his labor an amount no greater than a private's pay plus an estimated sum for subsistence if subsistence was not furnished by his employer. In exceptional cases the board might recommend furlough service in France in the Friends' Reconstruction Unit.

The board of inquiry made ten extended trips, in the course of which it visited all the camps in the country from Devens in Massachusetts and Gordon in Georgia to Kearney and Lewis on the Pacific coast. In all, 2294 cases were looked into. In 1978 cases the board determined that the objectors were sincere and made the following recommendations:

²⁶ By order of the secretary of war, June 1, 1918. See "Second Report of Provost-Marshal General"; p. 60.

²⁷ 40 Statutes at Large; p. 450. See also 1918, General Orders No. 31.

Furlough to agriculture or industry	1500
Furlough to Friends' Reconstruction Unit	88
Assignment to non-combatant service	390
<hr/>	
Total	1978

The remaining cases (316) were found to be insincere, or else no final disposition of the case had been made before demobilization was begun. One hundred and twenty-two objectors found not to be sincere were recommended for and assigned to combatant service.²⁸

The sorest spot in the whole question of the conscientious objectors is presented by the cases of the 450 objectors who were court-martialed for their behavior and sentenced to terms of imprisonment in the disciplinary barracks at Fort Leavenworth. Of these prisoners 113 were discharged in January, 1919, on recommendation of the board of inquiry. This action of the War Department was the occasion of much adverse criticism and misunderstanding. The men were discharged because they had been court-martialed either before their cases could be studied by the board of inquiry or in direct violation of its recommendations. "It is of interest," writes Secretary Koppel,²⁹ "that the situation in which these men found themselves does not imply that there was a general ignoring of the War Department's orders by camp commanders. Four-fifths of the men came from three court-martial jurisdictions. Of the thirty men who had been definitely recommended for farm furloughs by the board of inquiry, but were court-martialed in spite of the recommendation, all but three came from one such jurisdiction." Fifty-three additional objectors, who had been sentenced to imprisonment at Leavenworth, were subsequently discharged on recommendation of the special clemency board of the judge-advocate general's office.

²⁸ Colonel Easby-Smith in "Statement Concerning the Treatment of Conscientious Objectors"; p. 24.

²⁹ *Ibid*; p. 13.

The real importance of the problem raised by the conscientious objectors is not military but social. The experience of the War Department with these people discloses the existence of groups and communities in the nation which challenge public attention — groups and communities which are not caught up into the organic connections of national life. What is needed is not force, or repression, but measures of a more fundamental and effective helpfulness. The nature of the need is illustrated by what Major Kellogg says of the Mennonites:

The Mennonite faith may derive much from the inheritance of the ages, but a considerable body of Mennonites surely need serious consideration both by their church authorities and by the Government. It is difficult to realize that we have among our citizenry a class of men who are so intellectually inferior and so unworthy to assume its burdens and its responsibilities. I doubt extremely if 50 per cent. of the Mennonites examined [by the board of inquiry], because of their ignorance and stupidity, ever should have been admitted into the army at all; I am certain that 90 per cent. of them need a far better preparation for citizenship than they have ever received. They are good tillers of the soil; they are doubtless, according to their light, good Christians, but they are essentially a type of Americans of which America cannot be proud. The problem of the conscientious objector, as applied to the Mennonites, is particularly and forcefully one of education, not more in the rudiments of schooling than in the inculcating of the social and national spirit.³⁰

3

In dealing with the matters of alienage and conscientious objection to war, we have been considering the effect given in the selective service policy to what may be called political and ethical considerations. We come now to consider the weight given to economic considerations, and the determining influence which these were allowed to have in fixing the status of registrants in whose cases political and ethical difficulties were not raised. Most registrants, of course, fell into the class of those whose status was governed altogether by these

³⁰ Kellogg, *op. cit.*

economic factors, and hence in dealing with the latter we are at the heart of the selective process.

The Selective Service Act was primarily a means for raising an army, but for raising an army in a particular way. Its object was to sort out for military service those persons whose withdrawal from industrial and domestic connections would interfere least with other necessary kinds of war-time activity and have the least disturbing effect on the general life of the nation. But the task did not end here. "The remainder far outnumbered those who went into the fighting forces. The residue, the deferred classes, formed the great army behind the lines whose efforts had so to be directed as to contribute most effectively to the fighting forces. How to mold this vast group of man-power; how to weave its energies into a general pattern of national effectiveness, attaining a maximum of production with a minimum of disturbance—this was the problem to which the selective organization had to address itself.³¹"

In order that this task might be discharged effectively, complete information was necessary regarding the qualifications and the industrial and domestic status of each man registered, that a basis might be at hand for classifying the registrants in the order of their military availability. In short, what was needed was a comprehensive statistical inventory of man-power.

The immediate need for men, however, made it impossible to employ this scientific procedure at the outset in the case of the first draft call. What was done was simply to have each local board call, in the sequence of the registrants' order-numbers, about twice as many men as would be needed to fill the board's quota, and then eliminate by examination from these men all who could show themselves entitled to discharge or exemption. This was the procedure followed until December 15, 1917. By that time about as many men had been delivered to the camps as the supply departments could, for the time being, provide for. Advantage was taken of the ensuing lull to effect a classification of all remaining registrants which should serve as the basis for future assignments to service.

³¹ "Second Report of Provost-Marshal General"; p. 12.

The key of this new classification system was a questionnaire. Each registrant was required to file answers to a series of questions designed to show a simple inventory of his qualifications and circumstances. If on the basis of these he desired to make a claim for exemption or deferred service, he indicated this intention in his answer. If he made no such claim, he was at once classified as available for immediate service. All claims made were examined by the board, and either granted or refused.³² Failure of a registrant to make a claim, or final adjudication of his claim, resulted in fixing his ultimate position in one of five classes into which the entire body of registrants was graded in the inverse order of their liability for call into service. Class I included those registrants whose situation offered no obstacle to their immediate induction into the army. Classes II, III, and IV included persons whose occupation or domestic status rendered inexpedient their immediate employment in military service, graded in the order in which they could most readily be spared for such service. Thus Class II included registrants who, while having some claim to exemption which made it desirable to defer calling them until after the exhaustion of all registrants in Class I, were yet less indispensable to the economic life of the nation than were persons in Class III, and who were thus subject to be called ahead of registrants in the latter class. Class III registrants stood in the same relative position with regard to registrants in Classes II and IV as was held by Class II registrants in comparison with men in Classes I and III. In Class V were placed registrants who, because of physical unfitness or other disqualifications, (such as the fact that they were non-declarant aliens), were totally unavailable for military service.

The introduction of the classification system brought with it a number of improvements upon the more informal method followed in raising the first levy. Thus it greatly decreased the labor involved in the task of physical examination. Under the original procedure all registrants called before the boards

³² The matter of appeals will be considered in the following chapter.

were subjected to such an examination. Only after they were found to be physically qualified were they given an opportunity to submit claims for exemption or discharge. This method required the physical examination of more than 2,500,000 registrants, of whom 1,780,000 were found to be physically qualified. Of these, more than 700,000 were subsequently granted exemption. The physical examination of these 700,000 men was thus a pure waste of labor. Under the new classification system a man was not subjected to a physical examination until he had been placed in Class I—i. e., until his availability for immediate service had been definitely fixed.^{32a}

Another improvement introduced by the classification system was a greater flexibility in the equitable distinctions affecting the order of liability for service. "Under the original plan, the registrant was either accepted on the one hand, or discharged or exempted on the other; whatever the varying degrees of equity in different cases, virtually there was only a choice between these two alternatives. It is true that all discharges were in form temporary and provisional, and were therefore revocable in case of need. Nevertheless, the method did not specifically point out any grades of distinction between the various ones thus discharged; and had it become necessary to revoke the discharges, and to resort to this group for heavier drains for military purposes, the establishment of further discriminations would have been a cumbrous and tedious process. The new plan established five groups representing the equitable order of liability for military service, and thus made once for all an inventory of all registrants by placing them in one or another of these five groups. This made it possible to recognize, by differences in the order of liability for the different groups or classes, the equitable distinctions which might well obtain between the suitability of one or another group for earlier or later call. . . .³³

^{32a} "Second Report of Provost-Marshal General"; p. 45.

³³ "Second Report of Provost-Marshal General"; p. 46.

"A further advantage resulting from the classification system was that for the first time it enabled the respective contributions of men due from the different areas to be allotted in just proportion to the ability of each area to make that contribution. If Class I throughout all boards represented the reservoir of man-power available equitably for the earliest call, then the quotas of each State and each board could be allotted at the time of making each levy, in proportion to the size of that reservoir. And if it had become necessary to proceed into Class II, after exhausting Class I, then similarly the proportion of quotas could have been equitably made in ratio to the size of Class II in each State and each board. In other words, the classification system furnished an opportunity for abandoning the inequities of the population basis for levying quotas — inequities which had given rise to complaint under the act as administered in 1917."³⁴ This change was made possible by joint resolution of Congress, approved May 16, 1918.³⁵

4

The results of the classification of registrants under the questionnaire are presented in the following table,³⁶ which shows the distribution among the five classes of all registrants classified after December 15, 1917:

Total registrants classified after December 15, 1917	9,952,735
Placed in Class I	2,979,465
Placed in Class II	989,568
Placed in Class III	407,125
Placed in Class IV	3,026,178
Placed in Class V	2,123,825
Undistributed	426,574

The specific grounds responsible for all cases of exemption

³⁴ *Ibid.*; p. 47.

³⁵ 40 Statutes at Large; p. 554. See above, p. 116.

³⁶ "Second Report of Provost-Marshall General"; p. 170.

or deferred classification granted between June 5, 1917, and September 11, 1918, were as follows:

Total registrants, June 5, 1917-September 11, 1918	10,679,814
Total deferments on all grounds	6,973,270
Dependency	3,903,733
Alienage	1,033,406
In military and naval service	619,727
Physically disqualified	521,606
Necessary agricultural and industrial occupation	364,876
Sundry specified vocations ³⁷	76,497
Morally unfit	18,620
Undistributed	434,815

The outstanding thing which these figures show is that on one ground or another more than 65 per cent. of all registrants were exempted or given deferred classification. Other conclusions are less reliable. A given registrant was often in a position to present claims for exemption on a number of different grounds, yet only one — that entitling him to the most deferred classification — would appear on the face of the record. Thus the comparatively small number of occupational deferments is undoubtedly due to the large number of persons who, although entitled to such deferments, were actually deferred on the ground of dependency. The distribution of total deferments among the various grounds therefore shows little; what is of more significance is the policy pursued with regard to each ground of deferment and the light shed by administrative experience on the needs and situation of the country.

5

The chief ground of exemption from immediate military service was dependency. This is significant when it is remembered that one of the arguments urged for the adoption of the selective service policy had been the economic one that it would eliminate from the army men having dependents who would fall

³⁷ Clergymen, pilots, mariners, policemen and firemen, Federal and State officers, etc.

upon the government for support.³⁸ In working out a definition of what constituted dependency of such a character as to afford a ground for exemption, the draft officials were presented with some of the nicest and most delicate of all the questions that confronted them. At the outset, when the chief consideration was to get together an army as rapidly as possible and before an effective body of rules had been formulated, the burden of responsibility was left upon the local boards; and the natural result was a great unevenness of policy. This is indicated by the figures in the first report of the provost-marshal general showing the exemptions of married men for dependency. In some States the ratio of married men accepted for service to married men discharged for dependency was as high as 38 per cent.,³⁹ while in others⁴⁰ it stood as low as 6 per cent.⁴¹ This diversity of policy was done away with by the establishment of the classification system.

Two classes of married registrants could be disposed of without difficulty. Those married men not usefully employed and whose families were not dependent on them for support, or who habitually failed to support their families, had no proper claim for deferment, and belonged clearly in Class I. Likewise those registrants with wives or children wholly or mainly dependent on them were with equal clearness entitled to the limit of deferment and were accordingly placed in Class IV. It was intermediate cases which caused difficulty. There was first of all the case of the married man with children who was usefully employed, but whose wife or children were not dependent on him for support. Here there was no economic reason for deferment, but it was felt that there was a social reason. "It was not thought that the head of a family of children, although his responsibility in providing for their livelihood was negligible, should be classified in Class I so as to be liable for military service at the same time as was the man with no

³⁸ See above; p. 64.

³⁹ This was true of Louisiana and Mississippi.

⁴⁰ North Dakota and Wisconsin.

⁴¹ "First Report of Provost-Marshall General"; appendix; Table 22.

domestic obligations.”⁴² A man of this description was accordingly placed in Class II-A. A similar case was that of the married registrant without children, whose induction into service would not deprive the wife of reasonably adequate support. This case raised the question of what amounted to depriving the wife of reasonably adequate support. It was recognized that the wives of many registrants were qualified by special skill to support themselves, and that in such a situation a wife without children could spare her husband with far less hardship than when she was dependent on his support. Accordingly husbands in this situation were classified in Class II-B. The present writer is inclined to doubt the justice of so advanced a classification, particularly in the light of the remarkable leniency shown to the class of husbands who were placed in Class II-A. Nevertheless, the draft officials seemed to feel that it was justified by public opinion, and cite in this connection the following letter from a Massachusetts mill town:

Perhaps I have no right to speak to you about this matter, and I realize I have nothing to say about making the laws concerning the army. But did you ever stop and think of the poor and aged mothers that are giving up their boys, while next door are young married couples enjoying life to the fullest extent? That poor mother had to save, and many times do without the necessities of life, to bring her boys to manhood. Now when she is old and broken down in health, do you think it right to take all her boys? There are in Class II right here men working every day demanding large salaries. Their wives also work in most cases, and the mills are paying well now. They go to the pictures, beaches, and enjoy life, while it really seems to me they could serve their country as well as young men in Class I. These mothers that I refer to, some of them, have had to go to work; really it seems some laws are unjust. One young wife says, “I won’t work now; if I did they would take my husband in the army.” Surely she can work far more easily than those poor mothers. Do you think it is a just law that allows these men and their lazy wives to stay at home while the poor old mother gives her three or four sons?⁴³

A large number of married men were deferred on other

⁴² “Second Report of Provost-Marshal General”; p. 111.

⁴³ *Ibid.*; p. 112.

grounds than that of dependency. The figures are as follows: ⁴⁴

Total married registrants, June 5, 1917–September 11, 1918	4,883,213
Total married registrants deferred on all grounds	4,394,676
Total married registrants deferred on grounds of	
dependency of wife or children	3,619,466
Placed in Class II–A	183,770
Placed in Class II–B	503,221
Placed in Class IV	2,932,475

One of the points of greatest difficulty in the whole administration of the draft was the question of dependency claims arising out of recent marriages. There was great unevenness in the attitude of different localities toward such claims. Thus in Texas 2.7 per cent. of the entire registration of the State were granted deferred classification because of dependency arising from marriages entered into after the passage of the Draft Act, while in Tennessee only seven-tenths of 1 per cent. of the registrants were deferred on that ground. It was estimated that deferments on the ground of such marriages had resulted by May 1, 1918, in a loss of 167,148 soldiers to the army; in other words, 1.74 per cent. of all registrants were granted deferred classification because of dependency claims resulting from marriages entered into after May 18, 1917. To render available as many of these men as possible a Presidential order was issued on June 13, 1918, providing that dependency resulting from such marriages should be disregarded, unless there was a child of the marriage, born or unborn by June 9, 1918. This order resulted in the reclassification of 91,299 men into Class I.

Provision for deferred classification was made for single men having dependent parents, brothers or sisters, or adopted children. The figures are as follows: ⁴⁵

Total single men registered June 5, 1917–September 11, 1918	5,796,601
Total deferments for dependency	3,903,733
Single men deferred for dependency	284,267
Single men deferred for dependency of parents	236,553

⁴⁴ *Ibid.*; pp. 116–117.

⁴⁵ *Ibid.*; p. 118.

Single men deferred for dependency of brothers or sisters . . .	32,898
Single men deferred for dependency of adopted children . . .	14,816

These registrants were placed in Class III. The noteworthy lesson of the figures is the small number of unmarried men of draft age who were burdened with dependents.

6

Attention has already been called to the fact that deferments on the ground of dependency covered the cases of by far the largest number of those necessary industrial and agricultural workers who would otherwise have had to be specially deferred on the ground of their occupation. Indeed it has been estimated that 90 per cent. of the workers in any given industry remained untouched by the draft, either because of dependency deferments or because these workers were either women or men outside the draft ages. So far as male workers within the ages from twenty-one to thirty are concerned, deferments for agricultural workers are shown by the following figures: ⁴⁶

Total workers of all ages engaged in agriculture . . .	13,777,454
Males, age 21-30 classified in first registration . . .	2,509,698
Deferments as necessary workers	180,363
Deferments on other grounds	1,575,937
Placed in Class I, 1918	753,398

With respect to industrial workers the figures are as follows: ⁴⁷

Total of all ages in industries other than agriculture . . .	29,429,458
Males, age 21-30 classified in first registration . . .	6,068,021
Deferments as necessary workers	119,060
Deferments on other grounds	4,022,362
Class I, 1918	1,926,599

A combination of these tables results as follows:

	Number	Percentage
Workers of all ages	43,206,912	100
Ages 21-30 as classified within Selective		
Service Law to June, 1918	8,577,719	19.85

⁴⁶ "Second Report of Provost-Marshal General"; p. 137.

⁴⁷ *Ibid.*

	Number	Percentage
Placed in deferred classes	5,897,722	13.65
Placed in Class I	2,679,997	6.20

In short, the total inroad made by the draft upon man-power engaged in agriculture and industry between December 15, 1917, and June, 1918, was slightly more than 6 per cent. To this should be added something like 1.5 per cent. for the inroad made before December 15, 1917, and a little less than that percentage for the inroad made by taking in the members of the new twenty-one year group in June and August, 1918. Against this increase must be offset the men placed in Class I who, having been found physically defective, were reclassified into Class V, and were thus free to return to their former employments.

The special deferments granted on occupational grounds were necessary to protect industry from the loss of indispensable workers who could present no other claims for deferment. The object was to exclude from military service all "key" or "pivotal" men whose removal from their positions would dislocate industrial processes essential to the nation's war effort. These men were graded in the inverse order of their importance. Thus in Class II, the least deferred class, were placed registrants found to be necessary skilled farm laborers in a necessary agricultural enterprise, or necessary skilled industrial laborers in a necessary industrial enterprise. In Class III were placed registrants found to be necessary assistants, associates, or hired managers of a necessary industrial or agricultural enterprise; also registrants found to be necessary highly specialized technical or mechanical experts of a necessary industrial enterprise. In Class IV were placed registrants found to be necessary sole managing, controlling, or directing heads of a necessary agricultural or industrial enterprise. Classification on these principles resulted in the distribution of occupational deferments as follows:

Class II	194,972
Class III	65,213

Class IV	39,238
Total	299,423

The administrative policy adopted to control the granting of these occupational deferments aimed at dealing with each case of deferment individually on the basis of the peculiar personal and local circumstances attending it. Deferments in mass of whole classes of persons were strictly avoided. The idea was to sort out and defer "key" or "pivotal" individuals as individuals. The agencies entrusted with this task were not the local boards but the district boards. This selection has met with the disapproval of the provost-marshal general. "The statutory provision vesting in district boards the original jurisdiction in industrial and agricultural cases was of doubtful wisdom. In many instances such boards were too far removed from the locality of the individual registrant to be able to know or to ascertain the actual economic conditions of his community. Many district boards followed substantially the cursory recommendation of local boards in occupational cases, while other boards ignored such recommendations, relying upon data which were often incomplete and artificial. . . . On the whole, a more just and effective classification would have been secured had original jurisdiction in these cases been vested in the local boards."⁴⁸

The philosophy lying behind this criticism is elaborated at another point in General Crowder's report and is as significant as it is interesting. "It is true that all of the larger problems of a great war are national and must be solved with the end of obtaining the greatest national efficiency. But we can not afford to lose sight of the fact that all wars eventually come to an end, and that sooner or later the nation must return to a peacetime basis. This nation at bottom is one of local entities. . . . The solidarity and prosperity of the nation are, under our

⁴⁸ "Second Report of Provost-Marshal General"; p. 10. The reason for locating this jurisdiction in the district rather than the local boards was the fear that the latter would be more subject to improper influences and to local favoritism.

peculiar organization, dependent upon the well-being of the local community. To disrupt the whole economic structure of the community for the single purpose of promoting the maximum of national efficiency is not only a harsh rule, but, with the return of peace, a ruinous one. . . . We must leave in each community the framework of its normal economic structure. In this way alone is an easy readjustment possible. Yet the overwhelming consideration, during an emergency, is national and not local effectiveness. How to attain the greatest national good with the least local harm, therefore, becomes the nicest and most delicate problem which can present itself. With this end in view the selective service administration consistently entrusted to local agencies the duty of determining the industrial usefulness of registrants. The criterion was always national necessity, but no attempt was ever made arbitrarily to define those necessities. . . . As a result we secured a classification of skilled labor which kept local life going while at the same time national industrial development proceeded at a rapid pace. Skilled labor was classified from a national viewpoint so tempered by a local one that national development was unhampered while communities retained the roots of their economic life.”⁴⁹

The result of leaving the determination of occupational deferments to a large number of local agencies resulted in a wide variation of policy. Some district boards narrowly confined their definition of a necessary industry to agriculture and enterprises directly engaged in productive war work, hesitating even to include transportation. Others included undertakings of a commercial character important to the economic life of the locality. It was frequently urged that a list of necessary industries and occupations should be issued by the provost-marshal general's office or some other central agency for the guidance of the boards, but the administration steadily refused to take such a course, believing that the elasticity gained by the free exercise of judgment by each board as to the needs of its

⁴⁹ *Ibid.*; p. 19.

own community overbalanced the loss of the uniformity that would have arisen from a rigid classification of preferred employments.⁵⁰

From this policy, however, it was found necessary to depart in one outstanding instance. From the very outset employment in ship-building was recognized as constituting, without more, a reason for deferred classification. The basic importance of the ship-building program to our military effort does not require explanation. Before the entrance of the United States into the war, about 47,000 men were engaged in ship-building. This force was entirely inadequate to carry out the building program essential to the transportation of troops and to the success of other parts of our military program. It was as important to draw men into the ship-yards as to draft them into the army. The same need existed for mariners to man the ships when built. Accordingly deferred classification was granted to all registrants engaged in the building of ships or in the manufacture of ship-fittings, and to all who were employed as mariners or in training for such service under the supervision of the United States Shipping Board. These registrants were enrolled on what was called the Emergency Fleet classification list, and their special deferment obtained only so long as they remained in the above-mentioned occupations. The net total of registrants on the list on October 15, 1918, was 146,435, of whom 48,374, or about one-third, had no other ground for deferment and would otherwise have been available in Class I.

Numerous complaints were made by individuals and by local boards with respect to a supposed abuse of the privilege extended under these regulations. . . . There is no doubt that there were some abuses of this privilege. Some registrants sought employment in the ship-building industry in such manner as to clearly demonstrate that they were actuated by their desire to evade military service. An attempt, which from the newspaper reports seemed to be an organized plan, was made by some professional baseball players to get on the Emergency Fleet classification list in order to avoid being called for military service,

⁵⁰ *Ibid.*; p. 270.

and thus to continue to play ball. . . . Investigation showed that in a few instances baseball players had actually been placed on the list and were being permitted to continue to play ball by their employers, who required them to do only a nominal amount of work in connection with ship-building. This practice was promptly ended. Where an abuse of this nature was found the registrant was removed from the list, thereupon automatically becoming subject to call for military service in the sequence of his class and order-number.⁵¹

On the other hand, complaints were made by the Emergency Fleet Corporation that local boards failed to honor Emergency Fleet requests and removed registrants from the fleet list arbitrarily and without authority. The boards acted under trying conditions and often in the face of a natural resentment aroused in some communities on account of individual cases of abuse of the regulations by registrants or their employers.

The question of how far the deferment provided by the Emergency Fleet classification list served its purpose of drawing labor into the ship-yards is not an easy one to determine. Certainly it kept in the yards the 48,000 men who otherwise would have fallen into Class I. These men represented only about 6 per cent. of the total employed in shipping and ship-building, but undoubtedly many others were influenced to some extent to enter the industry by the inducement of deferred classification.

As the year 1918 advanced, it became evident that certain other industries vital to the war were no longer adequately manned with labor-power. The Railroad Administration and the Fuel Administration in particular looked to the draft as the main source of depletion and urged a blanket deferment for railroad workers and coal miners. This request was steadily refused by the draft administration on the ground that a blanket deferment would inevitably afford a retreat for many persons who should rightfully be in the military service, and would also result in lodging a power, which properly belonged to the draft authorities, in the hands of various employers and civil government agencies. Nevertheless, regulations were

⁵¹ *Ibid.*; p. 70.

issued enjoining a more rigid scrutiny by district boards of all deferment claims made by miners and railroad employees. District boards were advised that cases within their original jurisdiction might be reopened and reconsidered up to the hour of induction into the army. As a result of these measures, the Railroad Administration and the Fuel Administration experienced less difficulty in the case of employees whose services they deemed essential. The drain of the draft upon coal mining is shown by the following figures: ⁵²

Total mine operatives in the United States	706,012
Registered to June, 1918	177,502
Placed in Class I	46,253

A further safeguard against utilization in the army of men whose services were more valuable in an industrial capacity was provided by the Furlough Act passed by Congress and approved on March 16, 1918.⁵³ This act permitted the granting of furloughs to enlisted men in the army for the purpose of engaging in civil occupations whenever the interests of the national security and defense rendered it necessary or desirable. General Order No. 31, issued under the authority of this act, provided for the granting of furloughs to individual soldiers whose application showed they were needed on some farm; to "specially qualified experts in agriculture needed in the service of the United States Department of Agriculture"; and to experts "in the service of agricultural colleges established under Federal law and regularly receiving Federal funds." A great number of these agricultural furloughs were granted, and they served substantially to relieve the agricultural situation during the harvesting season.

A somewhat similar scheme was adopted for the protection of industry late in the summer of 1918. There was at that time established in the adjutant-general's office a section known as the industrial furlough section. The primary purpose of this agency was to return indispensable employees to plants,

⁵² "Second Report of Provost-Marshal General"; p. 141.

⁵³ See above, p. 143; 40 Statutes at Large; p. 450.

factories, and concerns that were operating under government contracts for war supplies and materials. When it appeared that either through enlistment or through the operation of the draft skilled workmen had been taken from such industrial concerns, the plant would make an application for the return of the man through the government department with which it had contracts; the furlough section would investigate the case, and either approve or disapprove the application. If it was approved, and if the soldier was willing to accept a furlough and was not a member of a military organization under orders for overseas service, the adjutant-general ordered the furlough. In this way between 16,000 and 17,000 men were furloughed back to their former occupations.⁵⁴

So far we have been considering the matter of protecting the labor supply of essential industries from undue depletion by withdrawals of men into the army. There remained the further problem of augmenting the labor supply of those industries to the necessary figure. Strictly speaking, this was not a military problem in the same sense as the former; yet the selective service regulations provided a mechanism for dealing with it which was to some extent employed and which showed itself capable of indefinite further utilization. This mechanism was set in operation by the famous "work or fight" order, issued May 17, 1918.

The "work or fight" order aimed to strike at two classes of registrants. "The spectacle had been not infrequent of a contingent of selectives, taken by the incidence of their order numbers from farms and factories, and marched for entrainment down the streets of their home town, past crowds of sturdy idlers and loafers standing at the street corners and contemplating placidly their own immunity. What gave these idlers their immunity? They were in Class I; but they had chanced to receive high order-numbers in the drawing, and thus became immune in their idleness until their number should be reached. The remedy for this was simple; viz., to let no man

⁵⁴ "Second Report of Provost-Marshal General"; p. 45.

who was idle be deferred in the draft merely because his order-number had not been reached; to require him to go promptly to work, or be inducted immediately into military service, his high order-number being cancelled.

"Another class of fruitless immunes was represented by registrants who obtained deferment in Class II, III, or IV on grounds of dependency, but who were not engaged in productive industries. Those deferred classes were meant to protect domestic relations and also economic interests. But thousands, if not hundreds of thousands, of men thus deferred for dependency were in obviously non-effective occupations, and thus their deferment served no economic war purpose whatever. If they were to retain their immunity, they should transfer into useful and effective occupations, or else forfeit their deferment."⁵⁵

To effect this result was the object of the "work or fight" order.⁵⁶ The order provided that any registrant in Class I, II, III, or IV who was found by his local board after due notice and investigation to be wholly idle or engaged in a non-productive occupation as defined by the regulations, and who was unable to present a reasonable excuse, should lose his deferred classification, if any, and his order-number, and become liable to immediate induction into the army. The principle extended potentially to all non-essential occupations, but its application was limited at the outset to the following classes of persons:

(a) Persons engaged in serving food and drink in public places, including hotels and clubs, but not including dining-cars.

(b) Operators of passenger elevators, and doormen, footmen, carriage-openers and other attendants in clubs, hotels, stores, apartment-houses, office-buildings, and bath-houses.

(c) Persons, including ushers and other attendants, em-

⁵⁵ "Second Report of Provost-Marshal General"; p. 75.

⁵⁶ "Selective Service Regulations," second edition; Sections 121A ff.

ployed in connection with games, sports, and amusements, except owners and managers and actual performers in legitimate concerts, operas, and motion-pictures, and the theatrical performers and skilled persons necessary to such performances.

(d) Persons employed in domestic service.

(e) Sales clerks and other clerks in stores and mercantile establishments. This class did not include executives or persons engaged in skilled employments, e. g., buyers, registered druggists, electricians, etc.

Certain excuses were admitted, such as lack of reasonable opportunity for employment in any other occupation, or the fact that change from a non-productive to a productive employment would require the removal of the registrant from his place of residence, entailing unusual hardship upon his family. Further, the boards were authorized to withhold action for a reasonable time in cases where it appeared that the registrant was in good faith seeking productive employment and that postponement would probably enable him to secure it.

The measure of effectiveness of the order is indicated by the following figures showing the action of the boards:⁵⁷

Total registrants notified by local boards under the order	118,541
Registrants changing their occupation without further action	54,313
Action postponed	50,451
Certified as non-productive to district boards	13,777
Held by district boards to be non-productive	2,695
Held by district boards not to be non-productive	5,600
Cases not disposed of	5,474

The effect of the order on the different classes of employment designated as non-productive is shown by the following table:⁵⁸

Total registrants notified to appear	118,541
Total changing without further action	54,313
(a) Food and drink service	17,889

⁵⁷ "Second Report of Provost-Marshal General"; p. 79.

⁵⁸ *Ibid.*; p. 82.

(b) Door attendants, etc.	4,725
(c) Amusements	3,715
(d) Domestic service	4,429
(e) Clerks, etc.	17,321

The publication of the rules aroused much popular interest in their bearing upon the status of professional baseball players. In the case of Edward Ainsmith, which was appealed from the district board of the District of Columbia to the President, the decision of the district board holding baseball playing to be a non-productive occupation was affirmed.⁵⁹ The chief argument made on behalf of the appellant was that the discontinuance of professional baseball, which afforded wholesome outdoor recreation to such large numbers of the American people, "would work a social and industrial harm far out of proportion to the military loss involved." On this contention the secretary of war, in announcing the decision of the President, commented as follows: "The stress of intensive occupation in industry and commerce in America in normal times is such as to give the highest importance and social value to outdoor recreation. It may well be that all of the persons who attend such outdoor sports are not in need of them; but certainly a very large preponderance of the audiences at these great national exhibitions are helped, physically and mentally, and made more efficient by the relaxation that they there enjoy. But the times are not normal; the demands of the army and of the country are such that we must make all sacrifices, and the non-productive employment of able-bodied persons, useful in the national defense, either as military men or in industry and commerce, cannot be justified. The country will be best satisfied if the great selective process by which the army is recruited makes no discriminations among men except those upon which depend the preservation of the business and industries essential to the successful prosecution of the war."

The "work or fight" order was very limited in its application, the number of employments designated as non-productive

⁵⁹ July 20, 1918. "Second Report of Provost-Marshall General"; p. 82.

including only the minimum of the most obviously non-essential occupations. But the possibilities of the principle itself were virtually without limit. "They are as wide as the field of labor itself. The 'work or fight' principle had been only sparingly applied when the war ended, but it had already succeeded in cleaning out the idle class and the small group of occupations declared to be non-productive," reports General Crowder.⁶⁰ "The labor thus diverted turned of necessity into the field of necessary or productive industry. The ship-yards, for example, were materially aided by the increased supply of labor. We had only to extend the scope of the 'work or fight' regulations to produce added effectiveness. As time went on, more and more occupations would have been catalogued as non-productive, and the evacuation of labor from them would have been initiated. The labor thus affected turns naturally for reemployment to the fields of highest wages. Since the highest wage-scale is found in the purely war-time industries, the labor thus diverted turns almost as a unit to these very industries. Thus at one stroke is accomplished the elimination of the non-producer and his transformation into the most effective producer."

By means of the "work or fight" principle, the Selective Service Law offered a partial substitute for an industrial draft. But in certain directions the principle did not go quite far enough. It drove man-power into the essential industries, but it provided no means of allocating the supply to particular industries in proportion to the relative need. "It is conceivable that situations might arise where it is possible to obtain abundant labor for the ship-yard and insufficient labor for the munitions factory, and where the 'work or fight' principle will not adequately serve to divert the required labor to the munitions factory." Means were at hand for effecting this result by an extension of the principle involved in the industrial furlough order. In practice the industrial furlough had been granted only on an individual basis, but there was no obstacle

⁶⁰ *Ibid.*; p. 15.

to applying it to groups. "It was quite feasible to call into service all or any part of a group of skilled labor and to offer the men thus called the option of remaining in the army for military duty or accepting an indefinite furlough dependent upon taking employment in a certain definite work. . . . The result of such a method is easily visualized. The necessary labor would have been secured, and the uncertain shifting of it that might otherwise have ensued would have been stabilized. The adoption of such a plan," reports General Crowder, "was not foreign to my thoughts when hostilities ceased."⁶¹

This view discloses the significance of the Selective Service Law not merely as a means of building up an army out of the human material best adapted to military service, but also as an instrument for the larger task of "weaving the man-power of the nation into the general pattern of greatest national effectiveness"; as an instrument, in short, for organizing the whole of the nation's human resources into an organism of which the army was an essential part, but only a part. The policy of the law regarded military effectiveness from the larger point of view of national effectiveness. "Before hostilities ceased, the time was rapidly approaching when we would have been compelled to take the final step in the process and to have denied absolutely to the registrants deferred upon industrial grounds all rights to military service. We had almost reached the time when it would have been necessary to make it as impossible for the man deferred for industrial reasons to secure military service as it had been for the registrants in Class I to avoid it. This was the logical end to which we were inevitably tending."⁶²

The importance of the Selective Service Act in the aspect we are considering — that is, in its bearing upon the industrial effectiveness of the nation at war — cannot be overestimated. It was a pioneer statute. It represents the first thorough attempt to coördinate purely military effort with that national

⁶¹ *Ibid.*; p. 16.

⁶² *Ibid.*; p. 14.

economic effort which the conditions of modern civilization have made at least an equally important element of warfare. The Civil War draft measure contained no provision for industrial deferment. The British Military Service Acts succeeded so little in systematizing industrial classification that they resulted rather in confusion than in an orderly correlation between the army and industry.^{62a} The Selective Service Law was therefore a major experiment in a direction which will certainly have to be more and more followed in the future.

7

Every registrant summoned in the draft was subjected to physical examination by his local board. Of the registrants examined, 29.11 per cent. were pronounced unfit before December 15, 1917; for the period after that date, the figure was 29.59. Registrants passed by local boards and inducted into service were reexamined on arrival at a mobilization-camp; of these 5.8 per cent. were rejected in 1917, 8.1 in 1918. The rejection at the camps of men passed as fit by local boards was due to a number of causes — the hurried character of the examination which the local board often had to make, the greater strictness of the army doctors at the camps, and perhaps also to no small extent to consideration stated in a letter from a local board to the office of the provost-marshal general:

Our rejections from the beginning to the end amounted to 7 per cent. rejected at camp. This percentage would have been smaller had it not seemed expedient in many cases to send certain men, even though we felt satisfied that they would be rejected. This was done in a number of instances to satisfy a critical public, on the one hand, and in other instances in order to secure the men themselves from any stigma; in other words, to give them a better discharge than a local board discharge would amount to in the eyes of the general public.⁶³

^{62a} For an account of the British system of deferments see "a Study of Conscription in the United Kingdom, 1914-18," by Challen B. Ellis, printed as Appendix K in "Second Report of Provost-Marshall General"; p. 379.

⁶³ "Second Report of Provost-Marshall General"; p. 157.

On the other hand the frequency of the cases in which the rejections made at camp were for obvious defects — amounting to about 50 per cent. of such rejections⁶⁴ — points to a carelessness on the part of certain local boards which requires comment. A case is on record of a negro being sent to one of the camps who was so blind that he had to be led about.

Before December 15, the registrants examined were either absolutely accepted, or totally rejected. This resulted in the rejection of many men who, while unfit for the rigor of general military service, were yet physically qualified to perform limited service of a useful kind. Accordingly, the new regulations taking effect on that date provided that registrants should be classified on physical examination into four groups: Group A, fully qualified; Group B, those having remediable defects; Group C, men qualified for limited service only; Group D, men totally disqualified. Of the 3,208,446 men examined under these regulations, 339,377 men were placed in Group C, and 521,607 in Group D. Of the Group C men, 91,867 were actually inducted and assigned to various sorts of limited service, clerical work and the like, in supply departments and elsewhere.⁶⁵

Interesting comparisons are on record of the proportion of rejections among different groups of registrants. Under the first series of examinations — that is, before December 15, 1917 — Connecticut, Maine, Pennsylvania, and Vermont showed rejections of more than 40 per cent. of all registrants

⁶⁴ *Ibid.*; p. 162. Compare also the following account from Camp Devens: "There were some cases of colossal stupidity or laziness or ignorance. From some of the Boston draft boards came men who were actually cripples. One man had only one hand. Another man had only one eye, and one chap was so near death from heart disease that the doctors ordered that he be rushed back to his home as quickly as possible. . . . After a while the boards found that they were only making more work for themselves by sending such men, as others had to be sent afterwards to replace those found unfit. Then an improvement set in." — "Forging the Sword; the Story of Camp Devens," by William J. Robinson; p. 27.

⁶⁵ See table, "Second Report of Provost-Marshall General"; p. 156.

examined. The States showing the same high percentage, under the second series of examinations were Arizona, Colorado, Connecticut, Massachusetts, Rhode Island, Vermont, and Washington. On the first examination, South Dakota held the low record for percentage of rejections — only 14 per cent. In the second series, this place was held by Oklahoma with 17.2 per cent.⁶⁶

A larger proportion of colored registrants examined were found to be physically qualified than was the case with the whites, the percentage of rejections being 25.4 for the colored groups, 30.3 for the whites.⁶⁷ A special comparison was made to determine the relative proportion of rejections in alien and native communities, the result indicating a somewhat higher percentage of rejections among the aliens.⁶⁸ Similarly a higher percentage of rejections was indicated in urban as compared with rural communities.⁶⁹ The examination of registrants newly arrived at the age of twenty-one in 1918 resulted in only 23 per cent. of rejections as against 30 per cent. among the registrants aged between twenty-one and thirty who were examined between December 15, 1917, and June 5, 1918. These figures are another indication of the greater fitness of men of the lower age for military duty.

Figures showing the nature of the defects causing disqualification are available for dates between February 10 and October 15, 1918. They are as follows, listed in the order of importance:

	Number	Percentage
Total for all causes	467,694	100.00
Heart and blood-vessels	61,142	13.07
Bones and joints	57,744	12.35
Eyes	49,801	10.65
Pulmonary tuberculosis	40,533	8.67

⁶⁶ Compare tables in "First Report of Provost-Marshall General"; p. 83; and "Second Report of Provost-Marshall General"; p. 417.

⁶⁷ "Second Report of Provost-Marshall General"; p. 159.

⁶⁸ *Ibid.*; p. 160.

⁶⁹ *Ibid.*; p. 159.

	Number	Percentage
Deficiency in height, weight, etc.	39,166	8.37
Hernia	28,268	6.04
Mental deficiency	24,514	5.24
Nervous and mental disorders	23,728	5.07
Ears	20,465	4.38
Flat foot	18,087	3.87
Teeth	14,793	3.10
Skin	12,519	2.68
Thyroid	8,215	1.76
Respiratory (non-tubercular)	7,823	1.67
Genito-urinary (non-venereal)	6,309	1.35
Genito-urinary (venereal)	6,235	1.33
Tuberculosis (non-respiratory)	4,136	.88
Digestive system	2,476	.53
Alcohol and drugs	2,007	.43
All others	39,733	8.50

CHAPTER VI

A TRIUMPH OF ADMINISTRATION

NO feature of the draft was more notable than the successful working of its administrative machinery. This is challenging in view of the fact that the ground principles on which that machinery was designed presented several novel and interesting departures. These principles were, first, a civilian administration; secondly, administration of a national policy through the medium of local agencies, vested with a high degree of ultimate discretion; and, thirdly, a frank application of the method of administrative as contrasted with judicial control. The first two principles tended to increase efficiency by rendering the draft process delicately answerable to the variant currents of local opinion; while the third compensated for weaknesses inherent in the first two by promoting speed and energy in functioning.

The Draft Acts of the Civil War and the British Military Service Acts of 1916 had operated through a civilian administration. The point had been pressed by members of the House Committee on Military Affairs when the Selective Service Act was in process of framing. To its final adoption General Crowder largely attributes the success of the draft. "Since the foundation of the republic our people have inherited a deep-seated prejudice against anything akin to compulsory military service. This tradition, to be sure, was offset by the popular will to win the war, so imbued were they all with the determination to perpetuate democratic ideals, so impressed with the knowledge that not only was it necessary to raise an army but to raise it quickly. Nevertheless, such a stupendous undertaking could not have been accomplished through a

system not in harmony with the national spirit. And the most influential feature in bringing about this harmony was the fact that the selective draft system was mainly placed in the hands of men taken from the people themselves — a civilian organization without previous experience except in diverse civilian pursuits. The knowledge that the privilege and the responsibility belonged to them made the draft more popular with the citizenry than if it had been effected by purely military processes.”¹

The keystone of the administrative structure was the local board. It was here that responsibility impinged, power lodged, and the fulcrum of effectiveness rested. Virtually every question was primarily a question for the local boards. Except for the initial registration in 1917, these boards had charge of every step in the movement of selectives from home to camp. Their determination as to the status of registrants was subject to review by district boards, which were also civilian bodies chosen like the local boards with nice regard for the principle of locality. These district boards had, besides, an original jurisdiction over claims for exemption based on occupational considerations. In certain cases an appeal was open from their decisions to the President. At the head of the hierarchy of which the local boards formed the base, and bringing the activities of the entire system into unity by laying down nation-wide regulations, was the office of the provost-marshal general of the army, who had been designated as chief draft executive by Presidential proclamation of May 22, 1917. From this office were issued the instructions, rulings, and regulations of a general character which served to guide the policy of the local agencies. The provost-marshal general also exercised a certain administrative supervision over the action of the local authorities. But between this central draft executive for the whole nation and the district and local boards there stood an intervening agency, novel in character and surprisingly effective in its working. Contact between the provost-

¹ “Second Report of Provost-Marshal General”; p. 8.

marshal general's office and the boards was not maintained directly, but through the medium of the governors of the States, who were called on by the President to superintend the execution of the Selective Service Act within their several jurisdictions. This employment of the mechanism of State government for the administration of Federal policy is a fresh departure in constitutional development, far-reaching in its possibilities; and the success which attended it in practice encourages the hope that new ways may be found for the continued utilization of so promising a political instrument.

The purpose of the present chapter will be to consider the constitution, work, and powers of the local and district boards, to glance at the way in which they performed their duties, and to describe the mechanism provided for coördinating and controlling them.

I

In order to carry out the spirit of the draft act it was necessary that it should be administered by men having intimate knowledge of the registrants with whom they were to deal. It was also desired to make the units of draft administration conform as far as possible to known and familiar units of political administration so that the strength of existing loyalties might be given full effect. For both these purposes an area including in the neighborhood of 30,000 people, which about corresponded to the average county, seemed adapted. Accordingly, this figure was named in the act as defining the area of jurisdiction of each local board.² The total number of boards finally stood at 4648.

It was further realized that board members should be chosen from the standpoint of environment rather than with reference to their professions or calling. Neither legal nor governmental training was the essential qualification. An intimate knowledge and appreciation of all varieties of local conditions being necessary, a composite board of capable, reputable, and representative men, having different careers and experiences, would be the best judges of the equities of the law

² Section 4.

in its application to their neighbors. Local boards were constituted on the principle of their peerage with the men whose cases they were to decide.³

The act provided for a district board in each of the 155 Federal judicial districts. The constitution of these boards was determined in view of their duties. They were to act first in an appellate capacity as a check on the decisions of their local boards; and, secondly, in their original jurisdiction over claims for occupational deferments, they were to protect the agricultural and industrial interests of their own community and of the nation. Accordingly the typical district board consisted of five members—an agricultural member, a member familiar with the industrial situation in the district, a labor member, a physician, and a lawyer.⁴

To give further assurance that the members of the boards, both local and district, would be persons familiar with and acceptable to their localities, their selection was left by the President in the hands of the State governors, whose recommendations were followed as to appointments, removals, and substitutions.⁵ In this way an administrative body was built up identified in character with their own areas of jurisdiction and as far removed as could be from a centralized bureaucracy.

1. Simply expressed, the duty of the local boards was to classify their registrants, summon and examine them in sufficient numbers to meet current calls for men, and mobilize them for entrainment. Each of these processes involved dozens of others. The case of every individual was peculiar to himself alone and ramified out into special personal considerations and inquiries. This was exactly the theory of the act, which provided administrative areas small enough to admit of just this measure of personal contact and consideration of individ-

³ "Second Report of Provost-Marshall General"; p. 276.

⁴ *Ibid.*; p. 268.

⁵ *Ibid.*; p. 276.

ual details. Obligated by their duties to become acquainted with the intimate family life of their neighbors, the boards frequently found themselves forced into the position of social welfare agencies for their communities. Through the power which they held in reserve they were able to compel delinquent husbands or sons to support wives or mothers; they patched up family quarrels, found jobs for idlers, and acted as bureaus of information regarding all matters military and industrial. The labor entailed by such a variety of duties was enormous, and the faithful and untiring service of the local board members won the merited commendation of the provost-marshal general.⁶

The following letter from a local board to a State adjutant-general, which is printed in the "Second Report of the Provost-Marshall General" (page 280), serves to illustrate, under its humorous tone, the weight and variety of duties which fell to the lot of the local boards:

Sir: Because this board and its meager staff is so busy

Counseling registrants —

Reconciling mothers —

Patiently answering dozens of inquiries by mail, telephone, and telegraph —

Issuing permits for passports —

Writing to transfer boards and telling them what to do with Form 2008-A —

Making out induction papers for S. A. T. C. registrants —

Copying our 4439 registration cards —

Writing up cover sheets —

Hunting up questionnaires without order-numbers in order to append additional late arrival affidavits of the X. Y. Z. Co. for deferred industrial classification in Class II of aliens (who are sure to be in Class V) —

Preparing routings and transportation requests for individual inductants under competent orders, who are to be entrained for Kelly Field, San Antonio, Texas, or Carlstrom Field, Arcadia, Florida —

Counseling the poor innocents as to how many "suits of underwear shall I take?" —

⁶ Second report; p. 290.

Advising them firmly though with kindness that while requests for tourist sleeping-car accommodations will be issued to them, our experience is that there will be no tourist-cars available, and that they will sleep on the floor —

Preparing seven meal tickets, three copies for each man —

Issuing new registration cards and new final classification cards to men who have "had their pocketbooks stolen" (?) and are afraid of being rounded up —

Issuing certificates of immunity to forty-six year old men who present proofs of birth date so that they won't be rounded up —

Advising colored ladies (to their manifest satisfaction) as to prospective government allotments and allowances to come from their casual spouses when in service —

Telling the anxious Y. M. C. A. recruits how they can apply to have their cases reopened and claims for occupational exemption considered —

Advising by mail the assistant district attorney of — county, who desires to prosecute a registrant for not supporting his wife —

Trying to keep several thousand questionnaires and registration cards, minus order-numbers as yet, out of irremediable chaos due to lack of filing cabinets or other facilities —

Reconciling our hard working limited service man to writing up his "daily morning reports" on a form adapted for a full company of men, including mules —

Conducting voluminous correspondence with perturbed mustering-in officers at distant cantonments about registrants who have been picked up without Form 1007 in their possession and shot into camp without proper induction papers in order that some yap deputy sheriff can get the \$50 reward because he needed the money —

Futilely registering ex-soldiers and sailors discharged for physical disability —

Getting into a corner occasionally and going crazy trying to study out an abstruse legal problem from an interesting 433-page text-book called "Selective Service Regulations," second edition, Form 99-A —

Classifying questionnaires —

Engaging, for physical examinations of several hundred men, doctors who are already bereft of their wits on account of the Spanish influenza —

Preparing dozens and dozens and dozens of Form 1010 for these examinations, three copies of each —

Postponing the examinations after all, because the doctors simply can't come, and redating all the Forms 1010 —

Doing dozens more things daily and nightly and Sundays and holidays, of which the foregoing are mere samples —

Because, I say, the board and its meager staff are so busy with a number of such matters, I beg to report:

That, though probably about half the questionnaires of the "first series, registrants of September, 1918," have been classified, we have n't the time or inclination or energy to count them, even approximately; about half the physical examinations have been concluded, and on Sunday we are going to try to catch up with our correspondence, if the master-list doesn't come, which we presume it will, however, in which event, we hope to have four volunteer typists pound out five copies of Form 102 (the churches are all closed, so it won't matter), —and, anyhow, we lost the "progress chart" the very day it arrived. And it is our opinion, if we may be permitted the liberty to express it, that what the Government wants (or ought to want in the present urgency) is men, not classifications, and we firmly believe that the boys on the firing line in France don't care a whoop in hades how many registrants Local Board No. 3 of Union County classifies in Class V or in Class IV, Division A, so we called out every man who made no claim or who waived all claims, or who had a manifestly insufficient claim, classified him at once, and called him for physical examination; if it were not for the blasted epidemic, we should be ready to report practically full completion of physical examinations now; but we shall be in any event, within a week, even if we explode in the attempt and incapacitate for all time the few remaining distraught doctors that are still available to cajolery and patriotic urging; in the meantime, we shall classify now and then, when we can, an alien or two, to swell our general list of classifications.

The fact is, we have been wanting to write this letter since we were appointed in May, 1917, so excuse it, please. Furthermore —and we say this in no mood of rancor or in undue pride of spirit —we don't care if you send it to the provost-marshal general. In fact, we wish you would. No more benevolent attention could accrue to the members of local boards than the gentle joys of court-martial, and cool retirement somewhere in nice quiet cells, fed and cared for, during the period of the balance of the Emergency.

And further deponent saith not (because his wife has just telephoned as to why the deuce he doesn't come home; he'll surely be sick), and will now quench the midnight shining bulb and go, and try to get around early in the morning and endeavor to find that lost "progress chart" (drat it).

2. Each district board had within its jurisdiction an average of thirty local boards and a total of about 70,000 registrants. At the outset, the district boards were swamped with appeal

cases. In time, this appeal work diminished and the task of the boards as arbiters between the army and industry advanced to first importance. This work was unusually heavy. In order to handle it, boards with a large membership had often to be provided, the board for New York City, for instance, numbering thirty members and being the largest board in the whole country. A practice much followed was to divide up the work among the members, the agricultural member taking care of agricultural claims, the industrial member of industrial claims, the lawyer of alienage claims, and so on. About one-fifth of the membership of these boards served without remuneration.

2

It was provided in Section 4 of the act that the decisions of the district boards "shall be final, except that in accordance with such regulations as the President may prescribe, he may affirm, modify, or reverse any such decision." This matter of the finality of the decisions of the boards raises the question of their power, and consequently of their standing under our constitutional system. Examination shows that the operation of the act resulted in an extension of that principle of the finality of administrative determination, which in recent years has been making gradual headway against currents of constitutional tradition.

It requires to be pointed out that the boards were not courts — they were administrative bodies. While in a sense their action in passing on such questions as whether a registrant was a citizen or an alien, or was entitled or not to a dependency exemption, was a judicial act,⁷ they were not courts because they were not bound by the ordinary judicial rules as to procedure and evidence; and because the whole purpose and object of their determinations was different from the purpose of a court of justice. This is well brought out in the preliminary

⁷ Hough, J., in *United States ex rel. Roman vs. Rauch*, Department of Justice, "Interpretation of War Statutes, Bulletin," No. 147.

letter of instruction addressed by the provost-marshal general to the local boards on July 26, 1917:⁸

You are not a court for the adjustment of differences between two persons in controversy. You are agents of the Government, engaged in selecting men for the Government, and there is no controversy. You, acting for the Government, are to investigate each case in the interests of the nation and never in the interests of an individual. There is not one exemption or discharge in the law or regulations that is put there for the benefit of any individual. All are there for the benefit of the nation and to the end that "the whole nation may be a team in which each man shall play the part for which he is best fitted." There should be no rules like those of court procedure, no technical rules of evidence. You should proceed to investigate cases about which you are not satisfied exactly as you, as an individual, would proceed to inform yourself of any fact about which you are in doubt.

To vest with conclusive finality the decisions of a body of this kind, acting solely in the interests of the Government, runs counter to the traditional doctrine in common-law countries that every citizen is entitled to have his rights adjudicated in a court of law. The point was naturally raised when Secretary Baker was before the House Committee on Military Affairs:

Mr. Gordon: "This draft system is an invasion of the right of personal liberty of the citizen, and we have always been taught to believe in this country that the courts must determine the validity of any restraint put upon the individual citizen, and there is no provision in the bill for any such determination by a court."

Secretary Baker: "I have already said that I have not the slightest objection to the writ of *habeas corpus* or any other civil process being in the hands of the civil courts to determine all questions of fact with regard to the inclusion of anybody who has the right of exemption."

Mr. Gordon: "I am very glad to hear you say that; I did not understand that."⁹

Accordingly, the question narrowed down to one of what

⁸ "Second Report of Provost-Marshall General"; p. 283.

⁹ "Hearings"; p. 307. See also *ibid.*; p. 131.

supervision the courts would exercise over the determination of the boards. There were already in the books a number of precedents in point. In *Murray's Lessee vs. Hoboken Land and Improvement Co.*¹⁰ the Supreme Court had decided that the due process guaranteed by the Constitution does not require that personal and property rights shall in all cases be finally determined in a court of law; and it was accordingly held in that case that Congress was free to vest an administrative officer with authority to determine the amount due from a government official, and to provide for the collection of the sum without any intervention of the courts, by a mere distress-warrant issued by the solicitor of the treasury. The question had arisen more pointedly in the Chinese exclusion cases; and in the leading case of *United States vs. Ju Toy*¹¹ it was decided that an administrative decision by the immigration officials as to whether or not the petitioner was an alien was, in the absence of a showing of abuse of authority, final and conclusive. On the other hand it had been held that if such a question as alienage or citizenship is dependent upon the determination of a point of law, and does not merely involve a finding of fact, the matter will be reviewed by the courts, and accordingly that it was for the court to determine in the last instance whether or not a native of Porto Rico who was an inhabitant of the island at the time of its cession to the United States was legally an alien and to be treated as such on arrival at a port of this country after the date of cession.¹²

Under the Selective Service Act the main question was first raised and passed on in the case of *Angelus vs. Sullivan*. John Angelus, a citizen of Austria, claimed exemption before a local board on the ground that he was a non-declarant alien, and filed a supporting affidavit. The local board denied his claim, and its action was affirmed by the district board. Thereupon Angelus brought a bill in equity to enjoin the local board

¹⁰ 18 How., 272.

¹¹ 198 U. S., 253.

¹² *Gonzales vs. Williams*, 192 U. S., 1.

from certifying his name to the military authorities for service. The district court dismissed the bill in an opinion which laid down extremely broad principles :

I think Congress had no intention that the courts should interfere with this drafting proposition. It is a military measure in time of war, and it would be most subversive of military control and the proper disposition of this extremely difficult new problem if the courts should interfere in this situation. If Congress had intended that the courts should review the action of the local and district boards, it would have so provided, and unless an appellate court says to the contrary, I am of the opinion that a district court of the United States should resolve any doubt in favor of the Government; any other view might tend seriously to embarrass the work of raising an army with its manifold difficulties and tremendous detail. If those who believe they are entitled to exemption were able to apply to the courts, it would be a most disturbing situation and directly contrary to my understanding of the intent of Congress. Congress intended this to be an executive measure, carried out by the executive branch of the Government without interference of the courts.

On appeal the circuit court of appeals affirmed the order of the district court, but on much narrower grounds.

It is argued that the act is unconstitutional in that it deprives the complainant of his liberty without due process of law, contrary to the Fifth Amendment of the Constitution. The Supreme Court has, however, held that a judicial trial does not prevail in every case, *Murray's Lessee vs. Hoboken Land and Improvement Co.*, 18 How., 272; and in *United States vs. Ju Toy*, 198 U. S., 253 at 263, the court, speaking through Mr. Justice Holmes respecting the Chinese Exclusion Act, under which the decision of the Department of Labor is final as to the exclusion, said: "If for the purposes of argument we assume that the Fifth Amendment applies to him and that to deny entrance to a citizen is to deprive him of liberty, we nevertheless are of the opinion that with regard to him, due process of law does not require a judicial trial." That the decision of the question whether a person of Chinese descent was born in the United States and therefore entitled to enter the country, or whether he was born in China and under the Exclusion Act not entitled to enter, may be entrusted to an executive official whose decision is final, and that this is due process of law, is established. We see no reason why the same doctrine is not equally applicable to the case in hand. And we therefore hold that the complainant is not deprived of due process of law by being compelled to

submit to the final decision of the local and district boards the question whether he has not declared his intention to become a citizen of the United States. . . . If the complainant is, as he alleges, a subject of Austria-Hungary, and has never declared his intention to become a citizen of the United States, as he also alleges, it is perfectly clear that he is not subject to the draft. Whether his allegations in this respect are true or not must, however, be determined in the manner prescribed by the act.

It appears from the allegations of the complaint that the complainant filed an affidavit claiming exemption by reason of the fact that he was an alien and that the local board denied his application, and that he appealed to the district board, which affirmed the decision of the local board. It thus appears that the complainant was heard, and it is nowhere alleged that he was denied a full hearing, or that the board rejected or refused to consider any evidence that he was entitled to present. In the absence of such a showing, we have no doubt that the decision of the board is final and cannot be interfered with by the courts.

We do not, however, agree with the statement of the district judge that there can be no interference by the courts with the action of these boards. We think a decision of the boards is final only where the board has proceeded in due form, and where the party involved is given a fair opportunity to be heard and to present his evidence. But if an opportunity to be heard should be denied, there can be no doubt as to the right of the aggrieved party to come into the courts for the protection of his rights. And we do not believe that the district judge meant to say that a decision must be regarded as final under such circumstances. The law courts have a general superintending control by *certiorari* over all inferior tribunals acting in a judicial or quasi-judicial character. And jurisdiction is not entirely taken away by the words of a statute which declares that the judgment of the inferior tribunal shall be final.¹³

This position was developed by other district courts in the cases of *Boitano*¹⁴ and *Kitzerow*.¹⁵ These were both cases

¹³ *Angelus vs. Sullivan*, Circuit Court of Appeals for Second Circuit, October, 1917, 246 Federal Reporter, 54.

¹⁴ *United States District Court for the Northern District of California*, 250 Federal Reporter, 812.

¹⁵ *United States District Court for the Eastern District of Wisconsin*, Department of Justice Bulletin No. 98. This case is apparently not reported in the Federal Reporter.

where dependency claims were denied. In the Kitzerow case the petitioner represented that in his answer to the questionnaire he had made proper claim for exemption on grounds of dependency, filing the supporting affidavits required, but that the local board had erroneously classified him in Class I contrary to the plain proofs which he had submitted and which entitled him under the regulations to deferred classification; and that the district board had erroneously affirmed the decision of the local board. The petitioner sought a writ of *certiorari* to review the action of the boards. The court refused to issue the writ, saying: "With this as the case, should the courts exercise jurisdiction by *certiorari* to correct the misapplication of the executive regulations and to enforce as the petitioner's right the regulations as they may be applicable to the facts presented by him in court? . . . It is my view that Congress never intended, by conferring on the executive the full power and discretion to determine the matters which are now comprehended within the executive regulations, to reserve to the individual who is within the scope of the law, as a matter of legal right subject to be enforced and vindicated in the courts, those very regulations which, in executive discretion, need not have been made at all, or, in like discretion, may be varied from day to day. The draft boards are purely executive agencies, and their error, committed against those who are within the draft law, is executive error in the enforcement of discretionary regulations; and I do not believe that it was or could be the Congressional intent that these executive agencies, constituted to carry out an unlimited discretion, are to be considered in the light of quasi-judicial tribunals discharging functions which pertain to the every-day legal rights of a citizen. It would imperil the whole scheme, Congressional and executive, in respect of the working of the Selective Service Law; and for these reasons I shall decline to take jurisdiction of the application for the issuance of the writ."

It is to be noted that in this case the right claimed by the petitioner was a right granted by the selective service regu-

lations which had been formulated by the President in the exercise of the executive discretion vested in him by the statute, and not a right conferred by the statute itself. In the light of the facts of the case and the language of the opinion, the ruling seems thus to have been that in the case of rights of the former sort the court would not even examine whether there was any evidence to support the decision of a board. On the other hand with respect to exemption for alienage, which was a right conferred directly by the statute, it was said in *Ex Parte Blazekovic* that the findings of the board would be conclusive only "where there is any evidence to support them," but that absence of such evidence must be shown, and "mere general allegations of a denial of a fair hearing are insufficient."¹⁶ So in *Pascher vs. Kinkead*, where a writ of *habeas corpus* was denied to a petitioner claiming exemption on the ground that he was an alien enemy, the court places its decision on the ground that the hearing before the board was fair and adequate, "and there was evidence to support the finding."¹⁷ But "even if the court would have reached a different conclusion from the evidence if the case were presented to it in the first instance, that fact cannot be held sufficient to warrant the court in holding that the hearing accorded the registrant by the board was unfair."¹⁸

On the other hand, where in the opinion of the court there was a departure from the procedure prescribed in the act, as in the case of McDonald, a writ of *habeas corpus* was granted. In that case after the petitioner was notified by his local board to report for military duty, but before the time set for such appearance, he applied to the district board for exemption on occupational grounds, and his claim was granted. Notwithstanding this determination, the local board, on his

¹⁶ United States District Court for the Eastern District of Michigan, February 20, 1918, 248 Federal Reporter, 327.

¹⁷ United States Circuit Court of Appeals for Third Circuit, March, 1918, 250 Federal Reporter, 692. See also *Ex parte Romano*, 251 Federal Reporter, 762.

¹⁸ Boitano *vs.* District Board, 250 Federal Reporter, 812.

failure to report, issued an order for his arrest and he was placed in jail. The court took jurisdiction of the question whether the right of the district board to entertain a claim for exemption was cut off by notice from the local board to the registrant to report for service. In his decision Judge Geiger, the same judge who rendered the decision in the Kitzerow case mentioned above, says: "The courts are bound to respect the determination of any of these tribunals under the Selective Service Law of all matters within their jurisdiction, and that limits the courts at the outset to determine whether there has been action under the law. . . . But the question whether the boards have acted at all; and, secondly, to what effect have they acted, is a question always open to judicial determination. . . . I say that this petitioner can come in here for the purpose of having a judicial determination of the question as to what these boards have determined, and what the quality of their determination is. . . . I am ready to determine that there is nothing in the law or regulations which cuts off the power of the district board to exercise its original jurisdiction at any time prior to the induction which is defined in the regulations, namely the hour specified in the notice of the local board."¹⁹

These decisions, and numerous others under the act, go far toward building up a body of law as to the extent and limits of administrative determination which may prove a useful guide for the further application of the principle in the solution of problems arising in time of peace.

3

On the whole the draft boards performed their highly responsible duties in accordance with standards of conduct equal to the demands of public opinion. Instances of gross favoritism or corruption were rare. In the summer of 1917 improper practices were discovered in a number of the local

¹⁹ Matter of McDonald, United States District Court for the Eastern District of Wisconsin, 253 Federal Reporter, 99.

boards in New York City and some of their members had to be removed. A number of these men were subsequently convicted and sentenced to imprisonment. This was the only instance throughout the country of conduct flagrantly criminal. On the other hand the work of the boards measured up to the standard of efficiency required by the army authorities. To quote again from General Crowder's report:

Time developed the necessity for the removal of only a very limited number of members. In a few instances this action was called for by the discovery of irregularities either in connection with compensation or in dealing with registrants. Occasionally a member was found to lack the requisite administrative capacity. In other scattered instances neglect of duty required removal. The aggregate of these cases, however, was so negligible from a national standpoint that the efficiency of the draft administration was never threatened, and the high average quality of public service rendered by the boards was not appreciably lowered. . . .²⁰

The responsibility of local boards was staggering. . . . Any other than a democratic government would have scouted the idea of intrusting to civilians, in most cases untrained in administrative capacities, such an enormous and complex task. The tremendous menace of the German military machine was never more obvious than at the time America took up arms. Many wise men of our own Government doubted the feasibility of creating an army entirely through civilian agencies. It is an irrefutable proof of the high capacity of our people for self-government, and an everlasting indication of true democracy, that a system so intimately affecting the lives of our people should have been entrusted to untrained representatives of the local community and that it should have been so well executed.²¹

The concentration of power and responsibility in the local boards, composed as they were of persons identified with the locality, served one very useful purpose which brings out strongly the advantages of a localized system of administration. "The boards became effective buffers between the individual citizen and the Federal Government; they attracted and diverted, like grounding wires in an electric coil, such resentment or discontent as might have proved a serious ob-

²⁰ Second report; p. 279.

²¹ *Ibid.*; p. 284.

stacle to war measures had it been focused on the central authorities. Its diversion and grounding at 5000 local points dissipated its force, and enabled the central war machine to function smoothly without the disturbance that might have been caused by the concentrated total of dissatisfaction. A disappointed claimant for exemption met a board member one day on the street, and burst out, 'Your ruling was rank and damnable.' The board member replied, 'We did our duty in the light of the facts.' 'All the same,' replied the irate citizen, 'you went wrong. And if I only took the time and trouble to appeal to Washington, they would tell you that you were wrong, and I would get justice. They would never stand for such a ruling. They know what's right, and they would soon see that you were made to do the right thing. But I am not going to appeal. Only, I want you to know what I think of your board.' This was typical of the board's function as a buffer—a decentralizer of individual discontent with the enforcement of the law. The war value of this function was enormous." ²²

No adequate appreciation can be acquired of the tasks and accomplishments of the local and district boards without reference to the text of General Crowder's second report at pages 276-290, from which most of the foregoing facts have been taken, but which there is not room to reprint here in full.

4

It has long been apparent to observers of current politics that one of the most pressing needs of a government confronted with the task of adjusting the problems of a complex modern society is its need for a body of expert advisers to supply technical information and advice regarding each of the many specialized problems with which government to-day must deal. Unhappily the public officials charged with the conduct of government have in too many instances not fully recognized this need. One of the outstanding excellences of General

²² "Second Report of Provost-Marshall General"; p. 277.

Crowder's administration of the draft was the full provision made at every point for the application of expert knowledge to the solution of technical problems requiring such knowledge. The first illustration which comes to mind is afforded by the medical advisory boards. There were 1319 of these boards, each functioning in an area whose boundaries were dictated by considerations described in the "Selective Service Regulations" as follows:

Each State shall be carefully districted with due regard to communication and hospital facilities for the erection of a number of medical advisory boards compacted with a view to the equitable and the practical distribution of the work of reëxamination as provided herein and to the convenience of registrants and economy to the Government in sending registrants before such boards. Members of medical advisory boards will be nominated by the governor and appointed by the President in accordance with instructions to be hereafter communicated to the governors.²³

The function of these boards was to give a physical reëxamination to registrants in those cases where the result of the previous examination was contested either by the registrant or the board, or by the appeal agent who acted for the Government. Each board consisted of three or more members. An attempt was made to include in the membership a specialist in each of the following lines: internal medicine; eye, ear, and throat; orthopedics; surgery; psychiatry; radiography; and dentistry. "To these boards were referred doubtful cases of registrants having obscure physical defects. By means of this highly trained technical agency, many obscure physical defects were detected, thereby materially assisting the local boards, which were not equipped to conduct an exhaustive examination, to reduce materially the number of rejections at mobilization camps, and also to detect malingerers."²⁴

A second instance of the utilization of expert advice was the establishment of legal advisory boards. Like the medical

²³ "Selective Service Regulations," second edition; Section 29.

²⁴ "Second Report of Provost-Marshal General"; p. 293.

advisory boards, these legal boards functioned in districts mapped out, not to conform to the local board areas, but determined by considerations of convenience:

The governor shall constitute legal advisory boards in such numbers and within such districts that there shall be convenient to every registrant who is to appear before a local or district board within the State a legal advisory board to which such registrant may apply for all necessary advice and assistance in preparing claims, questionnaires, or any other papers required by these regulations to be submitted by a registrant. After determining the number and location of legal advisory boards necessary to accomplish this purpose, the governor shall nominate, for appointment by the President, three representative lawyers, to be permanent members of such boards, to take charge of this work within each such district, and to be held responsible that there shall always be a competent force of lawyers or laymen available to such registrants at any time during which the local or district boards within such district are open for business. The governor shall nominate one of such three persons to be chairman of each legal advisory board; and the member so nominated shall, whenever practicable, be a judge of the county court, or of the common pleas court, or of a court of similar jurisdiction.²⁵

A formal call to the members of the legal profession was made by the President on November 8, 1917,²⁶ requesting them to offer their services for the purpose of instructing registrants concerning their rights and obligations and of assisting them in preparing answers to their questionnaires. At the same time the provost-marshal general appealed to the good offices of the American Bar Association and suggested the formation in each State of a central committee consisting of the vice-president of the association for that State, the State member of its general council, the president of the State bar association, and the attorney-general of the State to assist the governor in the organization of legal advisory boards. Largely owing to the energy of the association, these boards were in

²⁵ "Selective Service Regulations," second edition; Section 30.

²⁶ In his foreword to the "Selective Service Regulations."

many States functioning within a week after the issuing of the President's call. Their number ultimately grew to 3646, including 10,915 legal members and 108,367 lay members.

Wide publicity was given to the existence of legal advisory boards and their purposes, every effort being made to bring to the attention of registrants the fact that gratuitous professional advice might be had as to the requirements of the Selective Service Law. Letters of instruction were issued along with questionnaires to registrants showing exactly where free legal advice might be secured from legal advisory members in filling out questionnaires, as well as any other information concerning the operation of the selective service law and corollary acts. . . .

Legal advisory members were constantly consulted with reference to legislation cognate to the Selective Service Act. Particularly was this so in the case of the Soldiers' and Sailors' Civil Rights Act²⁷ and the War Risk Insurance Act. Some boards published articles explanatory of the above statutes, and did everything in their power to secure to drafted men the benefits thereof.

The question of compensation was early considered by the American Bar Association and by this office, and it was unanimously decided that men leaving their homes and offering their lives for their country should not be charged fees in connection with the filling out of papers required by the selective service regulations. Comparatively little difficulty was encountered in this respect. Wherever it was found that an attorney had charged a fee for assisting a registrant, he was requested by his bar association or by the State legal advisory board to discontinue the practice and restore the fees collected. In practically every instance the reasonableness of this demand was seen, and compliance ensued. A very few scattered prosecutions against members of legal advisory boards for charging fees were instituted; and where the practice was clearly established, convictions ensued.²⁸

The coöperation of the American Bar Association in the

²⁷ See "Selective Service Regulations"; p. 359. This was an act (Sixty-Fifth Congress, Public Statute No. 103) providing for the temporary suspension of the operation of certain legal rules as against persons in the military service. Subjects included are matters connected with appearances in suits, judgments by default, eviction for unpaid rent, instalment contracts, mortgages, insurance, etc.

²⁸ "Second Report of Provost-Marshal General"; p. 296.

organization and functioning of the legal advisory boards is no more noteworthy than that of the American Medical Association in connection with the medical advisory boards. Here we come upon another novel and effective feature of administrative policy. For government to be able to rely on the voluntary assistance of professional associations and to operate through them as its agencies for administering its own statutes represents the realization of the basic ideal of free government. Such a method makes possible that measure of governmental control which is coming to be demanded by the complex facts of modern social organization while eliminating at the same time the chief evil of government control—the growth of a specialized and devitalizing bureaucracy. If government control is to be effective and is to escape degenerating into harmful interference it must be exercised through agents who are not mere government officials. During the war this ideal was achieved in countless fields of administration; it was the basis, for instance, of the organization of the War Industries Board and the Food Administration; but nowhere was the principle more boldly applied or applied with greater success than in connection with the administration of the draft.

A third instance of the application of expert knowledge to the problems of draft administration was in the establishment of industrial advisory boards. These boards were not organized until September, 1918, so that they had little opportunity for positive accomplishment; but the principle they represent is important.

The experience of the first year of the draft in fields involving large industrial establishments revealed the necessity of more systematic attention by the large employers to the deferment of necessary employees and of more direct coöperation between them and the district boards. It was found that many employers, in their desire to conserve the interests of their own work, had treated these claims merely as individual cases of individual necessity, and had given little or no thought to the larger aspects of their establishment as an entirety, in its relation to the industry as a whole, to other industries, and to military necessities.

This office [the office of the provost-marshal general] found itself obliged to put certain material inquiries calculated to stimulate reflection on the part of representatives of industry: How many employers had hitherto taken pains to inform themselves systematically which of their employees are registrants and which are not? How many had studied carefully the required conditions for occupational deferment as laid down in the President's regulations pursuant to statute? How many had made it a point to survey their entire plant so as to single out the really indispensable individuals? With the oncoming of a more intensive registration, an even larger outlook was necessary. The general industrial conditions, the supply of skilled men in the industry at large, the possibilities of training substitutes, the availability of women workers—these were some of the considerations which bore directly on the need of occupational deferment as related to the need of the army. . . .

With a view, therefore, to handling the industrial situation with maximum intelligence and efficiency, and in view of the new registration of 13,000,000 more men on September 12, 1918, provision was made in a new regulation for assisting boards in rulings upon industrial claims for deferment. There were appointed by each district board three persons known as industrial advisers to the district board. These industrial advisers were to acquire full information as to the necessities of individual establishments; to keep informed as to the priority lists of industries and products as determined by the War Industries Board; to observe the general conditions of labor and industry; and to give to the district boards the benefit of their knowledge and judgment on these matters. One of the advisers was nominated by the Department of Labor, representing both employer and employee; one was nominated by the Department of Agriculture with similar relations representing agricultural employments; and one selected by the district board, whose function was to consider the remaining employments or occupations, such as education, newspapers, insurance, banking, etc. . . .²⁹

These advisers were to confer with the managers and heads of various industries and those familiar with the needs of other occupations, including agriculture; to instruct such persons as to their right to file claims for deferred classification for registrants in their employ; and to furnish to the district boards all information in their possession which might be of use in the work of classification. Any adviser was authorized to initiate a claim for deferred classification on any ground within the jurisdiction of the district board although no claim had previously been made for the registrant; and this

²⁹ *Ibid.*; pp. 142-143.

right could be exercised up to the day and hour fixed for the registrant to report for military duty.³⁰

Significant light is cast on another interesting feature of draft administration by the provision just referred to that claims might be entered by the industrial advisers in behalf of individuals who had made no claims themselves. This is an illustration of how emphatically it was intended that procedure before the draft boards should not be regarded as a two-sided controversy between litigants each insisting on his rights. Just as the Government was determined to secure the induction into military service of persons whose service on considerations of national policy was most needed there, so it was equally determined to keep out of military service, even against their will, persons who were more needed elsewhere. In the language of the provost-marshal general quoted earlier in this chapter, it was not a question of any "controversy." Draft officials were "agents of the Government, engaged in selecting men for the Government," and were to "investigate each case in the interests of the nation and never in the interests of an individual." So if the interests of the nation demanded that an individual should be prevented from entering military service, it was the place of the draft officials to take the initiative in seeing that he was exempted. This comes out very clearly in connection with the duties of the government appeal agents. The main duty of these officials, of whom there was one for approximately every local board, was to take appeals on behalf of the Government in cases where the board had granted exemption if, on information acquired of the appeal agent's own motion or brought to his attention by other persons, he believed that the best interests of the Government and justice to other registrants required that the exemption should be overruled. In short, his main duty was to secure the setting aside of exemptions. But he was also "to care for the inter-

³⁰ *Ibid.*; p. 275. On the date of the armistice 126 out of the total of 155 district boards had reported the appointment of their full quota of industrial advisers.

ests of ignorant registrants, and where the decision of the local board is against the interests of such persons and where it appears that such persons will not take appeals, due to their own non-culpable ignorance, to inform them of their rights and assist them to enter appeals to the district board.”³¹

A procedure in which such a result is possible—a procedure, that is, whereby an official of the Government can take it into his own hands to claim, for an individual, privileges which the individual does not claim for himself—must appear very strange to those brought up in the view which has been expressed by Professor Dicey:

“It is an idea absolutely foreign to English law that the relation of individuals to the state is governed by any other principles than those rules of private law which govern the rights of private persons towards their neighbors.”³²

5

The 4648 local boards, and 155 district boards with their auxiliaries, the medical, legal, and industrial advisory boards, were coördinated into one system through the common supervision and control exercised by the office of the provost-marshal general of the army in Washington. But this control was not exercised directly. Between the provost-marshal and the boards stood the draft executives of the States.

On April 23, 1917, nearly a month before the Selective Service Act became law, the President issued a circular letter to the State governors, calling attention to the provision of the act which authorized him to use State agencies in the enforcement of the act and expressing the belief that such agencies “promise the swiftest and most effective possible execution of the law.” A plan was outlined which, “visualized in recapitulation, may be stated as follows: first, a central bureau in Washington; second, a collection of State and Territorial systems decentralized as far as possible under the control of the governors; third, county and city boards

³¹ “Selective Service Regulations,” second edition; Section 49.

³² “Law of the Constitution,” eighth edition; p. 383.

of control; fourth, for the purpose of registration, a registrar for each voting precinct. . . .

"The next thought in coördinating local organizations under a central control indicates yourself, as chief executive of the State, functioning of course through some appropriate office that will relieve you of detail. The office that suggests itself is that of your adjutant-general. The President has the firmest confidence that in the execution of this law of devoted sacrifice by the people themselves, our genius for self-government will transcend all prior expressions. For this reason it is desired to make the point of actual application of the law non-military, but as the system centralizes, its military object is emphasized, and your adjutant-general's office is excellently adaptable to the integration of the State system with the War Department."³³

In accordance with this suggestion, most of the governors appointed the adjutants-general of their States as State draft executives. In order to provide for the increased duties which soon devolved on State draft headquarters, and to establish closer connections with Washington, it was decided to attach to them officers of the army on Federal pay. At the same time, in order to carry out the idea of local self-government which runs through the act, these officers were to be selected for commissions from among civilians recommended by the governors from persons already connected with the administration of the draft law. It also became necessary to place a medical officer at the disposal of State headquarters. "Consequently, each governor was asked to recommend for appointment as an army officer a physician and surgeon who possessed particular skill and training, and who could immediately acquaint himself with the army physical examination regulations so that he might become the adviser of the governor along those lines and thereby secure a uniform application throughout the State of the rules for physical examinations."³⁴

³³ "First Report of Provost-Marshall General"; pp. 7-8.

³⁴ "Second Report of Provost-Marshall General"; p. 265.

The functions of State headquarters were summarized in the selective service regulations as follows:

The governors shall be charged with general supervision over matters arising in the execution of the selective draft within the States. The determination of questions of exemptions and deferment classifications is within the exclusive jurisdiction of the local and district boards, subject only to review by the President, but other functions and duties of boards, departments, officers, agents, and persons within the State, except departments, officers, and agents of the United States not appointed, designated, or detailed under authority of the Selective Service Law, shall be under the direction and supervision of the governor.³⁵

These general duties may be classified roughly as follows:

(1) Purely administrative:

- (a) The selection and nomination of members of all the various selective service boards.
- (b) The purchase and distribution of supplies, the payment of accounts, and various duties of disbursement connected with the expenses of the boards within the State.

(2) Functions of coördination:

- (a) The interpretation of regulations, including the preparation and distribution of bulletins and circulars for the information of the boards.
- (b) General supervision of the work of the boards involving trips of inspection and meetings for conference and interchange of views.
- (c) The investigation of charges against boards or members thereof.

In addition, the State headquarters were charged directly with certain very important steps in the draft process itself. These were:

- (a) The apportionment of quotas within the State, and the allotment of calls.
- (b) The details of the routing and entrainment of registrants and other matters connected with mobilization.

³⁵ "Selective Service Regulations," second edition; Section 27.

(c) The handling of cases of delinquency and desertion.

By Section 25 of the selective service regulations, it was provided that there should be no direct communication between the local and district boards within a State and the office of the provost-marshal general, but that all such communications should be through the medium of the State draft headquarters. Apart from the necessity of this rule as a matter of practical convenience, it made possible a measure of equality and uniformity of draft administration in each State which could not otherwise have been secured.

Thus, through the State headquarters, the various strands of draft administration in all its aspects were brought together and unified for each large territorial unit before passing finally into the central clearing-house of the provost-marshal general's office. The medical examiners of the draft boards were in constant touch with the medical advisory boards, and both were under the common supervision of the medical aide at State headquarters. Inspectors from State headquarters brought local boards and legal boards and industrial boards into touch; and thereby many tangled wires were uncrossed on the spot which would have produced inextricable confusion had the tangle been allowed to reach into the delicate mechanism of the central draft agency. By way of summary, General Crowder has said: "The system which has proved so successful has been essentially one of national supervision but of State control. In the light of the accomplishments that stand out, and with knowledge of the problems that have arisen, it is fair to indulge in the opinion that the demands of this war for man-power could not have been met under a system controlled and supervised in every respect by one central office."³⁶

6

With regard to the functions of the provost-marshal general's office, not much remains to be said. It was here that the rules and regulations were shaped and promulgated which

³⁶ "Second Report of Provost-Marshall General"; p. 267.

guided the policy of the local and district boards. Here quotas were allocated and calls issued. Here were referred knotty legal problems regarding alienage, citizenship, and treaty rights sent up from the local boards. From this general headquarters went out national inspectors who at one time or another visited every State headquarters and many boards, linking the entire system into harmony of action.

Holding as it did a strict control over all matters of general rules and policies, the central office of the draft machine firmly refused to meddle in individual or particular cases. Many appeals were made for action of this kind, but the answer always made was: "Go back to your local authorities. There is probably some equity in your case, which deserves to be carefully considered by your local board. Abide by their decision, because under the law and the regulations the provost-marshal general has nothing whatever to do with this case." The results were satisfactory; acquiescence ensued. "The experience of this office is a new proof that the conferring of authority upon local civilian boards to pass upon these questions was the master-stroke of the Selective Service Act. It was simply the carrying over to the raising of an army, of the familiar Anglo-Saxon principle of a local jury trial. The principle was understood by the people, and therefore it was accepted by the people. Any reasonable and fair method of drafting an army, if based on this principle, would have succeeded."³⁷

When the Provost-Marshall General was first designated chief draft executive, his staff consisted of eight officers and a small clerical force. At the date of the armistice it had increased to forty-five officers, twenty-nine enlisted men, and 343 civilians.³⁸ When the size of the task is considered, the striking thing is that a force relatively so small was able to accomplish it; for it is coming to be clear that General

³⁷ "Second Report of Provost-Marshall General"; p. 260.

³⁸ *Ibid.*; p. 253.

Crowder's achievement is one of the very greatest administrative triumphs of modern times.

7

It may be helpful to see at a single glance the characteristic features of the draft administration which have just been reviewed:

- (1) It was a civilian administration.
- (2) It was a local administration, with final responsibility resting essentially on agencies of the locality where action was taken and hence responsive to their needs and wishes.
- (3) It was an administration through existing agencies. The units of administration were familiar established units—the State, the county, the voting precinct. The administrative officials were in many cases recognized officials of government, State governors, sheriffs, prosecuting attorneys, and county judges.
- (4) It was an administration guided by expert advisers—legal and medical and industrial boards.
- (5) It was an administration operating in some of its functions through voluntary associations—the bar association and medical association.
- (6) It was an administration centrally supervised but not centrally operated.
- (7) Administrative determinations were in a high degree final.

All of these things are characteristic of good as distinguished from bad administration; and in the draft they proved their worth. There has accordingly been a strong hope and desire that the lesson will be applied, and that they will be introduced more or less widely into the administration of the peace-time functions of government. General Crowder in his recent book has himself expressed this hope.³⁹ The result is

³⁹ "The Spirit of Selective Service," New York, 1920.

one to be wished for; but it must be remembered that there are a number of considerations to be taken into account. First, administration on the principles on which the draft was conducted demands a heavy measure of participation by private citizens. Such participation is the ideal of democracy. It was secured during the war; but during the war forces were at work which do not operate in peace. Patriotism was aroused; there was a very keen sense of the meaning of commonwealth and of participation in a common task. War is a tangible emergency which can awake and focus this feeling; in time of peace it is normally apt to be dormant.

Secondly, the aim of the draft was single and relatively simple. It was to get as many men for the army as could be spared from the other activities of national life. This is a task which can be understood and appreciated by almost every one, citizen and official alike. In almost every branch of peacetime administration the case is relatively different. Conservation, labor administration, health administration, the control of industry, are all far more complex. Being complex, they awaken less interest and provoke less unanimity of sentiment and support.

Thirdly, the aim of good administration is primarily efficiency. In time of war the need for efficiency is so compelling as to be appreciated; in peace, in democratic countries especially, efficiency is normally not merely at a discount, but it is even likely to be under suspicion. The average citizen is much more content with an administration which keeps out of his way than with one which does its job well.

Accordingly, it seems impossible to expect that the conditions will be present which will make possible the wide application of the principles of the draft administration to the ordinary functions of government. A more or less centralized bureaucracy of specialized officials seems the only way of carrying forward and keeping in motion the operations of government against the inertia and indifference of the citizen body in ordinary times. The defects of administration

conducted on this principle are patent enough to disinterested observers; but it is only as they become more so to the public at large that any effective steps can be taken toward supplying a remedy. When this occurs, the improvement will no doubt proceed by applying principles which proved their worth so well in the administration of the draft.

CHAPTER VII

AN ARMY OF HUMAN BEINGS

I THINK it is safe to say that no army ever before assembled in the history of the world has ever had so much thought given to its social organization. . . . These boys are going to France; they are going to face conditions that we do not like to talk about, that we do not like to think about. . . . I want them armed; I want them adequately armed and clothed by their Government; but I want them to have invisible armor to take with them. I want them to have an armor made up of a set of social habits replacing those of their homes and communities which will protect them overseas.”¹

These words of Secretary Baker refer to a side of the Government's policy of army-building which deserves not to be overlooked because it represents a thoughtfulness and an effort so unique and at the same time so representatively American. The task which lay ahead of the War Department when these words were spoken was the building of an army; the tremendous task of assembling a fighting force of unprecedented size and training it with lightning speed to become an effective military machine. Such a task might well seem, and did in fact seem to many, engrossing enough to warrant throwing to the winds all considerations not bearing on sheer military efficiency. The task was to turn millions of men into soldiers; what had social organization to do with that? But what the administration did not forget was that these men were to be the soldiers of a democracy; men who were to fight a war on behalf of free principles of government and then return and

¹ Speech at the national conference on War Camp Community Recreation Service, Washington, October 23, 1917, printed in "Frontiers of Freedom"; pp. 84 ff.

take their places in a democratic society. To turn them into mere fighting machines by suppressing and crushing out other sides of their natures would involve losing the war in order to win it: it would lead directly to a degradation of our war aims and methods, and ultimately to a perversion of our national spirit and institutions. For the old type of soldier, bullied and dragooned and paralyzed into a kind of mere fighting animal, and turned loose sporadically to vent his passions in animal excesses, there is no room in a democracy; and no war won by such soldiers can result in advantage to free government. Accordingly the administration took very seriously to heart the responsibility of safeguarding and conserving the human side of the soldier; of keeping alive so far as possible in the midst of ferocity and carnage the better side of his nature as a man, by surrounding him with substitutes for the social forces which in ordinary American life operate as the strongest inhibitions against license and excess. As Secretary Baker said:

We are interrupting the normal life of the nation, we are summoning out of their communities and their homes a vast number of young men. We are taking men from their normal environments, from their usual occupations. Now, everybody knows, of course, that one of the great social restraints, one of the things that make ordered society possible at all, is the existence of a state of social habits on the part of a people; that those social habits are the things we acquire as we grow up in a community. They are enforced by the sanctions of personal approval of the people with whom we have to deal. They are enforced by the approval of neighborhood opinion. They constitute the chief force for the preservation of order and for the progress which society makes. . . .

Now, that state of mind, which exists in every community and in every individual, is being violently disturbed by our withdrawal of large numbers of young men from their homes, from their families, from their social organizations, from their communities, from their church organizations, from all the various affiliations which the young men have made as a part of their social education. . . .

Everywhere there is a demand that these young men whom we are taking from their homes and families, from wives and children, from mothers, sisters, and intimates, should come back with no other scars upon them than those won in honorable warfare. . . .

The United States is a civilized country. Nobody realized how civilized, until there came from all parts of the country a demand that this army should not be raised as armies hitherto had been; that it should not be environed as armies hitherto had been; but that such arrangements should be made as would insure that these soldiers, when actually organized into an army, would represent and carry out the very highest ideals of our civilization.²

The administration was the more keenly alive to the nature of the task facing it because of the experiences of 1916 when the militia was encamped along the Mexican border. Mr. Raymond B. Fosdick subsequently described that situation to a committee of the House of Representatives:

I represented the War Department down on the Mexican border in 1916 as special agent of the secretary of war in looking up the conditions around army camps. I suppose you gentlemen are familiar with conditions that existed there at that time. Our men were scattered from Brownsville over to the Gulf of California—sometimes in the neighborhood of towns, and sometimes out in the mesquite. There was not a camp that did not have its red-light district. Of course it was not officially run, but it was generally in the town nearby. Drunkenness among the troops was very prevalent, and conditions were thoroughly bad. We had an extraordinarily high rate of venereal disease down there.³

In this statement the two central evils are emphasized which it was necessary to guard against—drunkenness and sexual immorality. It is common experience that both are likely to be rife among soldiers. Suddenly transplanted into the excitement of a new way of life, and subjected to a grueling discipline with intermittent periods of absolute idleness, the men find themselves without any of their usual resources to occupy their spare time and gravitate rapidly into practices which have always been the resort of idle and excited men—drunkenness and vice. “The fellows went to the devil on the Mexican border because there was absolutely nothing to do. . . . Out of

² “Frontiers of Freedom”; pp. 85-88.

³ “Testimony before House Committee on Military Affairs, Hearing on Camp Activities, March 14, 1918”; p. 4.

sheer boredom, they went to the only places where they were welcomed, the saloon and the house of prostitution.”⁴

Venereal disease was accordingly widely prevalent and freely disseminated. In San Antonio the rate of soldiers diseased was 288 per thousand,⁵ and the ineffectiveness of prophylactic treatment was evidenced by the fact that despite the employment of prophylaxis one regiment alone developed nineteen new cases in two months.⁶

The likelihood that these conditions would repeat themselves on a proportionately larger scale with the mobilization of millions of drafted men in training camps was obvious. A medical specialist told the House Committee on Military Affairs that war conditions always result in a great increase of venereal disease. “I think I may safely predict that with the segregation of large bodies of young men in camps there will be an enormous increase of venereal diseases. The experience of the world has shown that this always takes place.”⁷ Weight was given to this prophecy by the experience of England, France, Italy, Austria, Germany, and Russia after the outbreak of the war. At one hospital clinic in France, these diseases increased 50 per cent. during the first year of the war, and almost 67 per cent. during the following eight months.⁸ There were statistics to the effect that Austria had had the equivalent of sixty divisions, or 1,500,000 men, rendered ineffective at some time or other by venereal diseases.⁹

The size of such figures indicates the importance of the problem which they illustrate; but an even more important thing to be realized was that this problem was not a purely medical one. As one expert put it: “The transmission of the disease

⁴ *Ibid.*; p. 8. See also “Literary Digest,” November 18, 1916; p. 1332.

⁵ Fosdick, *loc. cit.*; p. 7.

⁶ For an article on venereal disease among the troops on the border see “Social Hygiene”; Vol. 3, No. 2, pp. 212-220.

⁷ Dr. Sigmund Pollitzer, “Hearings Before Sub-committee on Military Affairs,” Sixty-Fourth Congress, second session; pp. 502-503.

⁸ “Journal of the American Medical Association”; Vol. 68, No. 5, p. 384.

⁹ Fosdick, *loc. cit.*; p. 5.

itself is only part of the problem. From the social point of view the question is not only one of the effect of venereal disease upon the social body, serious as that is. The more far-reaching evil is the state of mind and character which lies back of it. The greatest evil to society results from the shattered ideals, lowered standards, sensualized minds, and perverted practices which are brought into home life and society by these men who represent in large measure the cream of the young manhood of the nation. To safeguard the home and society against these basic evils, we must not only abolish venereal disease, but minimize, so far as possible, prostitution itself.”¹⁰

Apart from these far-reaching social implications, the problem had an immediate military side. Diseased soldiers are not efficient soldiers; and the startling figures quoted above for Austria show the tremendous inroads which bad social conditions can make into military effectiveness. Accordingly, as Mr. Fosdick told the House committee, the administration “felt from the beginning that inasmuch as this war was going to be won by man-power, we could not afford to lose a single man through any cause that modern police science could effectively grapple with. . . . We are tremendously interested in having 100 per cent. efficient men going to France. General Pershing cabled over, not long ago, ‘You are sending me 7 per cent. venereally diseased, and that is too high.’ Of course it is too high. It is a great deal lower than it ever was before; but it is too high, and we have got to send men over to France who are in better condition than 7 per cent.”¹¹

From every point of view, then, the need was pressing to protect the new army of drafted men from the usual vices of a soldiery. In order to meet it, Secretary Baker drew upon his own previous experience as an administrative official of a large American city. To quote his own words:

For a long time we tried a perfectly wrong-headed process about the city; we tried to pass laws which would cure all these ills, and to enforce them by policemen. I do not mean that we ought not

¹⁰ “Social Hygiene”; Vol. 3. No. 2, p. 220.

¹¹ Fosdick, *loc. cit.*; pp. 5-7.

to have some policemen, but we imagined that our sole salvation lay in the passage of laws and the employment of policemen. . . . Then the discovery was made that the way to overcome the temptations and vices of a great city was to offer adequate opportunity for wholesome recreation and enjoyment; that if you wanted to get a firebrand out of the hand of a child, the way to do it was neither to club the child, nor to grab the firebrand, but to offer in exchange for it a stick of candy. . . . And so there has grown up in America this new attitude, which finds its expression in public playgrounds, in the organization of community amusements, in the inculcation throughout the entire body of young people in the community of substantially the same form of social inducement which the American college in modern time has substituted for the earlier system of social restraints. . . .¹²

We learned that where there was a healthily conducted and adequate recreational opportunity, it was impossible for the old downward tendency of young men to continue; that in the presence of that opportunity the natural and spontaneous tendencies of young men asserted themselves. We learned this other thing, that the way to keep young people from doing bad things is to give them an opportunity to do good things. . . .

I am not idealist enough to imagine that the time is at all near when we can dispense with some admixture of force in the enforcement of police regulations, and I am heartily in accord with the belief that there should be segregation and isolation and quarantine. We must diminish as far as we can by repressive measures opportunities for vicious infections which would enfeeble the army. Yet I am idealist enough to believe that we have already passed many milestones since we left the old conditions, and that our progress, our substantial and tremendous progress, is going to be along the line of healthy and wholesome and stimulating and strengthening substitutes as counter-weights to temptation.¹³

The paragraph last quoted summarizes the policy of the War Department for the protection of the social welfare of the soldiers. That policy had two sides, a negative and a positive one. On the negative side it consisted in the enforcement of prohibitory regulations framed to eliminate temptations and opportunities for vice and drunkenness. On the positive side

¹² "Frontiers of Freedom"; p. 90.

¹³ "Expression versus Suppression," in "Frontiers of Freedom"; pp. 231-235.

it called for the building up of a vast and elaborate organization to supply the soldiers in some measure with the same kind of diversions and pastimes for their idle hours as they had been accustomed to in their home surroundings.

2

The authority of the War Department to carry out the repressive side of its policy was given by Sections 12 and 13 of the draft act. These sections read as follows:

SECTION 12. The President of the United States, as commander-in-chief of the army, is authorized to make such regulations governing the prohibition of alcoholic liquors in or near military camps, and to the officers and enlisted men of the army as he may from time to time deem necessary or advisable; provided, that no person, corporation, partnership, or association shall sell, supply, or have in his or its possession any intoxicating or spirituous liquors at any military station, cantonment, camp, fort, post, officers' or enlisted men's club, which is being used at the time for military purposes under this act, but the secretary of war may make regulations permitting the sale and use of intoxicating liquors for medicinal purposes. It shall be unlawful to sell any intoxicating liquor, including beer, ale, or wine, to any officer or member of the military forces while in uniform, except as herein provided. Any person, corporation, partnership, or association violating the provisions of the section or the regulations made thereunder shall, unless otherwise punishable under the Articles of War, be deemed guilty of a misdemeanor, and be punished by a fine of not more than \$1000 or imprisonment for not more than twelve months, or both.

SECTION 13. The secretary of war is hereby authorized, empowered and directed during the present war to do everything by him deemed necessary to suppress and prevent the keeping or setting up of houses of ill fame, brothels, or bawdy-houses within such distance as he may deem needful of any military camp, station, fort, post, cantonment, training or mobilization place; and any person, corporation, partnership, or association receiving or permitting to be received for immoral purposes any person into any place, structure, or building used for the purpose of lewdness, assignation, or prostitution within such distance of said places as may be designated, or shall permit any such person to remain for immoral purposes in any such place, structure, or building as aforesaid, or who shall violate any order, rule, or regulation issued to carry out the object and purpose of this section shall,

unless otherwise punishable under the Articles of War, be deemed guilty of a misdemeanor and be punished by a fine of not more than \$1000 or imprisonment for not more than twelve months, or both.

Neither of these sections was in the bill as originally introduced into Congress. Section 13 embodies substantially, with some verbal alterations, an amendment introduced by Senator Jones of Washington and adopted without debate and without a roll-call.¹⁴ The legislative history of Section 12 is longer and more interesting; and it repays study for the light which it sheds on the methods and mental attitude of Congress.

After a week of debate the Senate had adopted a rule to reach a vote on the Selective Service Bill before adjournment on Saturday, April 28. On that day the Senate was at once to proceed to the consideration of the bill, each speaker was to be limited to five minutes, and there was to be no adjournment until the bill had been acted on. At the commencement of the session Senator Chamberlain introduced from the Committee on Military Affairs the following amendment, which was recommended by a majority of the committee:

No person, corporation, partnership, or association shall sell, supply, or have in his or its possession any intoxicating or spirituous liquor at any military station, cantonment, camp, fort, post, officers' or enlisted men's club which is being used at the time for military purposes under this act; but the secretary of war may make regulations permitting the sale and use of intoxicating liquors for medicinal purposes. [The amendment then went on to provide a penalty.]¹⁵

Senator McKellar of Tennessee, speaking for the minority of the committee, objected to the proposed amendment as not sufficiently stringent. After all, the real problem was not going

¹⁴ "Congressional Record," Sixty-Fifth Congress, first session; p. 1615. The constitutionality of Section 13 was attacked on the ground that the delegation of authority to the secretary of war was unconstitutional. The validity of the section was upheld by the Supreme Court in *McKinley vs. United States*, 249 U. S., 397.

¹⁵ "Congressional Record," Sixty-Fifth Congress, first session; p. 1448.

to be how to keep men from getting liquor inside the camps, but how to keep them from getting liquor outside. Accordingly he proposed to add to Senator Chamberlain's amendment, after the words "medicinal purposes," the following:

It shall be unlawful to sell, furnish, or give away any intoxicating liquor, including beer, ale, or wine, to any officer or member of the military forces while in uniform, or to knowingly furnish to such person or persons intoxicating liquors whether in uniform or not, or to any person in the employ of the army.¹⁶

Senator Curtis of Kansas emphasized the need for such an extension: "Any person who has lived in the neighborhood of a fort knows that the young men in the army need protection from the joints in the neighborhood, and from the boot-leggers who hang around on the outside and induce the young man to go to houses where he can get intoxicating liquor."¹⁷

On the other hand some senators felt that the McKellar amendment, as worded, went altogether too far. "This amendment," said Senator Williams of Mississippi, "would absolutely punish me for giving to my son-in-law or one of my sons a toddy in my own home at my own sideboard. It is fanaticism run mad."

A vote was taken, and the McKellar amendment was incorporated into the Chamberlain amendment by fifty-seven to thirty. Those voting in the negative were Brandegee, Broussard, Calder, Colt, Culberson, Fletcher, France, Frelinghuysen, Gerry, Harding, Hardwick, Hitchcock, Hollis, Husting, James, Johnson, Lodge, McLean, New, Penrose, Pittman, Pomerene, Reed, Thomas, Underwood, Wadsworth, Warren, Watson, Weeks, and Williams.

On the vote being announced, Senator Underwood of Alabama, who had voted against the McKellar amendment, gravely proposed to amend it by inserting after the words "while in uniform" the additional words "and the members of Congress." The effect of this would be to prohibit absolutely the

¹⁶ *Ibid.*; p. 1449.

¹⁷ *Ibid.*; p. 1452.

furnishing of intoxicating liquor to members of the Senate and House. "Cool heads are as much needed under the dome of the Capitol as in the camps. If the Senate is going to the point of invading the rights of these men when out of camp, when they have got their uniforms off, I think if we want to be good soldiers, we had better stand with them."¹⁸

Other amendments were facetiously offered extending the prohibition to the press gallery, to members of the cabinet, to the officers of the executive and judicial branches, and to "everybody else," but were ruled out as being amendments to an amendment and hence not in order. The question stood upon the adoption of the Underwood amendment.

Senator Smith of Georgia: "Mr. President, so far as I personally am concerned, I am perfectly willing for this amendment to pass; but, Mr. President, let us not be misled as to the value of what we have just done by this effort to throw ridicule upon it."

Senator Underwood disclaimed any intention to throw ridicule upon the McKellar amendment.

Senator Smith: "Soldiers are boys who need protection; senators ought to be able to control themselves. Whatever is the motive of the senator from Alabama, the public will look on this amendment as an attempt to throw ridicule on the bill."

Senator McCumber: "This amendment of the senator from Alabama is an insult to the Senate."

The argument that if the Senate proposed to deprive the soldier of his right to get liquor, it ought to show good sportsmanship and not refrain from applying a self-denying ordinance to itself prevailed, however, and the Underwood amendment was adopted by a vote of forty-five to forty-three. Twelve of the strongest opponents of the McKellar amendment voted for the Underwood amendment.¹⁹

At this point Senator Harding of Ohio entered the debate: "I have voted to sustain the attitude of the senator from Ala-

¹⁸ *Ibid.*; p. 1453.

¹⁹ "Congressional Record," Sixty-Fifth Congress, first session; p. 1457.

bama because I thought it becoming to make the amendment adopted previously a ridiculous thing in the eyes of the people of the United States. What a spectacle it is that the Senate of the United States on our entry into a world-wide war, while sitting as a deliberate body, should be giving hours to questions like these and collateral amendments, when we ought to be passing this bill which provides for an American army for defense.”²⁰ Senator Harding then offered as a substitute for the McKellar amendment as amended what was substantially the original amendment introduced by Senator Chamberlain at the beginning of the session.

Senator Nelson of Minnesota: “This amendment offered by the senator from Ohio, like the original amendment, is of no value whatever. They can put a zone right around the camp, or the soldiers will go to the cities adjoining the camp, to the saloons, and get liquor there. If you want to do anything for the soldiers you have got to adopt the McKellar amendment.”²¹

Senator Jones of Washington: “In my judgment, we cannot do a more important thing in connection with this legislation than to throw safeguards around our soldiers, who, the experience of all wars has shown, will be the special prey of this deadly traffic. It is not frivolous for us to try to put important provisions into this bill in order to do that.”

Senator Sheppard of Texas: “Mr. President, after inveighing against the introduction of amendments which he pronounced frivolous, the Senator from Ohio proceeded to introduce the most ineffective and indefinite amendment that has been presented here to-day. The additional amendments that have been unnecessary and frivolous have been introduced by those who opposed the McKellar amendment. The consumption of time they have occasioned is not chargeable to those of us who favor this amendment, but to those who opposed it.”

Senator Hoke Smith of Georgia proposed to amend the Harding substitute by adding to it the words of the original McKellar amendment, omitting, however, the provision which forbade the furnishing of liquor to soldiers not in uniform. “I have eliminated the clause which applies to them when not

²⁰ *Ibid.*; p. 1458.

²¹ *Ibid.*; p. 1460.

in uniform. I think if we extend protection to the uniform, together with the provision in the amendment of the senator from Ohio which permits regulation by the President, we cover the whole subject." Senator Harding accepted the amendment, and in this form his substitute was adopted by fifty-one to thirty-five.

The net result was thus exactly the same as if the clause in the McKellar amendment applying to men not in uniform had been struck out at the beginning and the rest of the amendment adopted. To reach this result several hours were spent in a debate which fills about twenty pages of the "Congressional Record." But in the meanwhile the Senate had its "little joke," in the end a satisfactory result was reached, and fortunately the loss of time produced no bad consequences.

In the course of the debate the arguments advanced for prohibition of liquor-selling to soldiers were just those which weighed with the administration: (1) the efficiency argument; and (2) the duty owed by the Government to the families of the boys drafted into the army. "We must waste nothing. No food should be allowed to go to waste. No exertion of mind or body should be wasted. Drilling men with whisky in them is worse than time wasted."²² "We are going to take their boys, and put them into the service of their country. We are going to take them where they will be subjected to the worst temptations and we ought to throw about them every guarantee that we can."²³ Kitchener was quoted as saying that liquor was a worse foe to England than all the opposing armies in the field. On the other hand, one of the opponents of the proposed legislation pointed out that it was a practice in the allied armies to serve out a regular rum ration to the men in the trenches, and that liquor, so far from making against military efficiency, was actually an aid to it.

In conference, a certain amount of opposition developed to the two amendments. As one prominent member of the House

²² Senator Myers of Montana, *ibid.*; p. 1449.

²³ Senator Jones of Washington, *ibid.*; p. 1450.

of Representatives, who was a member of the conference committee, later said, the provision "in my judgment indicts the American people of drunkenness and immorality. I was willing to write into the legislation a provision which would have given the President, as commander-in-chief, full authority to make all needed regulations for the protection of the young men against the use of liquor and against the social evil. That would have been sufficient. . . . In San Francisco there was an exposition two years ago. There were nineteen million admissions at that exposition. It ran nearly a year. There were only eighty-three arrests for drunkenness during the entire period. That speaks volumes for the sobriety of the American people, and I will never sign any report which by wholesale indicts my fellow-citizens before the whole world of intemperance and immorality."²⁴

The amendments were, however, written into the conference report and with the rest of the bill adopted by both Houses.

3

Before the passage of the Selective Service Act, the administration took steps to provide for carrying out the two sides, negative and positive, of its policy for the social protection of the soldier. In April the secretary of war appointed a non-salaried Commission on Training-Camp Activities with Mr. Raymond B. Fosdick, a recognized expert in police science, at its head. The functions of the commission were twofold: in the first place, to supervise and coördinate all the agencies and organizations that would want to work in the camps providing recreation for the troops, and, secondly, to assume responsibility for eliminating vicious influences from the neighborhood of the camps. The money needed for the work was drawn from the funds available for military post exchanges. Ten months later Mr. Fosdick was called upon to give an account of the commission's work before the House Committee on

²⁴ "Congressional Record," Sixty-Fifth Congress, first session; p. 2205.

Military Affairs. It is from the published report of his testimony that the following details are taken.

Mr. Fosdick first went into the negative or repressive side of the commission's activities. "One of our main functions — I would not call it the principal function — has been to see that red-light districts and prostitutes, as far as possible, are swept out of existence and kept away from men in uniform; and that Section 12 of the draft act, forbidding the sale of liquor to men in uniform, is rigidly enforced. To effect this result we have saddled up all the law-enforcing agencies in that work: that is, the Department of Justice, the local police officers, and any other agency that could be brought in to enforce those laws. And we have had, too, rather extraordinary success, because we have had splendid coöperation, for the most part, from the local governments affected. Over sixty red-light districts have been closed around the country. There is not a red-light district near any military camp in the United States at the present time, and the prostitutes have been chased out of town, and locked up or sent to reformatories. You can see the result in the constantly decreasing rate of venereal disease in the army."²⁵

In carrying out this policy, the commission found itself confronted with a number of peculiar difficulties. Closing up the red-light districts went far toward improving conditions, but it did not go the whole way. "We found venereal disease coming not from prostitutes, but from the type of girl known in military camps as the flapper — that is, young girls who were not prostitutes, but who probably would be to-morrow, and who were promiscuous and diseased. Of course, that was an exceedingly difficult situation to get at; but in order to do so, we formed a committee that we called, for lack of a better name, a committee for protective work among girls, with Miss Maud Miner of New York as chairman. After a pretty thorough study of the way they were getting at it in England,

²⁵ "Hearing on Training-Camp Activities before the House Committee on Military Affairs, March 14, 1918," Washington, 1918; p. 4.

we adopted the English system of women protective officers in the neighborhood of the camps. The ordinary policemen cannot deal successfully with these girls. He cannot send them home, while a woman protective officer can, and we have been stimulating, through this committee, the appointment of women protective officers in the neighborhood of the military camps, and we have about sixty-five of these officers now. In most cases, they are paid by the municipality, in some cases by the State governments, and there are two or three in each camp. They patrol the environment of the camp — that is, the woods near-by, or the streets in the town. They know the girls, for the most part, because it is only the exceptional case where we have a very large city in the neighborhood of the camp, and three or four women patrolling the streets can get in touch with these girls and take them home to their mothers."

A second difficulty was met with where it was found necessary to commit girls who were persistent offenders to a reformatory. Authority for this was found in Section 13 of the draft act. "We found we were crowding the jails and reform schools. In Newport News, for example, the place provided for women who are convicted was built to house fourteen. In two weeks we had thirty-six in there, and lacking accommodations for any more, the judges refused to convict them." Twenty-four girls from the neighborhood of Camp Wadsworth and Camp Sevier were convicted in the Federal district court for South Carolina where the accommodations were already crowded. The local district attorney brought the girls to the reform school of the District of Columbia, where room was found for them. "So it was a very immediate situation that we had to confront. I talked with the secretary of war about it, and the President gave me \$250,000 out of his \$100,000,000 emergency appropriation with which to supplement funds which may be granted by the States to put up reformatories to meet these conditions. We got that fund two or three weeks ago, and are just starting work now."

A second expedient was adopted. "It is useless to send a

girl up for thirty or sixty days and then turn her loose on the community if she is diseased, because she just goes back, and tries to make up what she has lost in point of money, and thus continues to spread the disease, and it is the disease end we are trying to reach, because it is the efficiency end. . . . So we are opening up clinics in connection with the Red Cross and the Public Health Service, the Red Cross supplying the funds. We are opening up these clinics in the neighborhood of the camps, and if a girl is sent up, for example, for thirty days, or if she is fined, she is put on probation by the Federal judge under obligation to report to the clinic for treatment, and she is not released from her probation until she is cured. By that means we are getting really at the seat of the venereal disease problem."

This policy involved skating on the thin edge of the law, as appears from the following colloquy between Mr. Fosdick and some of the members of the committee:

The Chairman (Mr. Dent): "What authority have they to put them on probation?"

Mr. Nicholls: "I understand the Supreme Court has held they have not that authority."

The Chairman: "The Supreme Court has recently held that a Federal judge has not power to commute a sentence."²⁶

Mr. Fosdick: "As a matter of fact, Mr. Dent, I have not asked about the authority of the judges because I am afraid it is a bit weak. The judges are doing it, though, and I sincerely hope no questions will be asked."

The Commission on Training-Camp Activities executed its supervisory powers over vice-prevention in the camps through officers commissioned in the sanitary corps of the surgeon-general's office. These officers, generally men who in civil life had been lawyers, after receiving their commissions were assigned to the Commission on Training-Camp Activities for duty. "As a result we have a commissioned lieutenant in every camp, and we get prosecuting officers wherever we can, men who know the game, and we have them in every large community in

²⁶ See 242 United States, Reports, 27.

the neighborhood of a military camp in the United States. We have something like thirty-six such men now.”²⁷

In its preventive program the commission on training-camp activities worked in coördination with the medical department of the surgeon-general's office. At the beginning of the war, this office drew up an elaborate sketch of the policy which it believed necessary for dealing adequately with the situation. This policy was outlined under four principal headings:

- A. Social measures to diminish sexual temptations.
 - (1) Repression of prostitution and the liquor traffic.
 - (2) The provision of proper social surroundings and recreation both within and without the military establishments.
- B. Education of soldiers and civilians in regard to venereal diseases and the moral hazards related thereto.
 - (1) For soldiers, through official lectures, pamphlets, exhibits, and correlated educational work of the chaplains and representatives of religious and social agencies under the supervision of the Commission on Training-Camp Activities.
 - (2) For civilians, through encouragement and assistance to professional, business, commercial, religious, men's and women's organizations, and social welfare organizations.
- C. Early treatment (or prophylactic measures) against venereal diseases.
 - (1) Through treatment stations established in regimental infirmaries and in cities accessible to large numbers of troops.
 - (2) Through follow-up measures adapted to individual cases to discourage subsequent exposure to infection.
- D. Medical care of those infected.
 - (1) Through hospitalization of all cases requiring such action for the best interests of the patient, for

²⁷ These statements of Mr. Fosdick are from pp. 4-8 of the "Hearings" above referred to.

shortening of the non-effective period, and for the protection of other soldiers.

- (2) Dispensary treatment and follow-up supervision for those who do not require admission to or further detention in the hospital.²⁸

The program laid special emphasis on educational work. "Since no practical methods of immunization against this group of diseases exist, special emphasis has been placed on the development of educational measures. Five million copies of pamphlets and educational leaflets explaining the Government's social hygiene program and restating the essential parts of it in many different ways have been distributed, either directly by the Medical Department, or by the Commission on Training-Camp Activities or other agencies, with the approval of the surgeon-general. Officers of the section have been detailed to the demonstration of special methods of education through the use of these pamphlets, placards, lantern slides, and illustrated posters. Officers have also been detailed to the development of special motion-pictures. These officers, in coöperation with others similarly detailed by the Army Medical Museum and with representatives of the Commission on Training-Camp Activities, the American Social Hygiene Association, the Young Women's Christian Association, and other volunteer associations, have produced two films. One of these has been widely utilized in the educational program with the soldiers and has been increasingly in demand for promotion of the civilian campaign against venereal diseases which has been conducted simultaneously with that of the army. The other film was intended primarily for use in civil communities to aid in the education of women and girls upon the importance of combating venereal diseases and maintaining moral standards. This film has likewise been increasingly in demand by military as well as civil authorities."²⁹

²⁸ Report of surgeon-general, War Department, "Annual Report," 1918; Vol. 1, p. 655.

²⁹ *Ibid.*; p. 657.

Further the medical department assigned officers to direct special social hygiene education in the camps, supplementing the required talks on this subject by the company commanders and the medical instruction given by the regimental surgeons.³⁰

4

So far there has been described merely the negative side of the administration's social policy for the army. Vastly greater stress was laid on the positive side, the supplying of activities which would compete with those which it was desired to eliminate. As Mr. Fosdick phrased it, "it is not going to do any good just to set up 'Verboten' signs such as we have done in connection with Sections 12 and 13 of the act, and tell red-blooded American soldiers that they must not do this or that or the other thing, unless you are going to give them something positive to do; and therefore we have been trying to fill every moment of leisure time that the soldiers have in the training-camps." What steps were taken toward doing this may also be stated in Mr. Fosdick's words:

We started out with the idea that we would not create any more machinery than we absolutely had to; that we would work through existing organizations. The first thing we did was to ask the Y. M. C. A. to assume a large part of the responsibility for erecting the clubs on the inside of the army camps; and it is well known how generously the Y. M. C. A. responded. Afterwards the Knights of Columbus and the Jewish Board for Welfare Work (the Young Men's Hebrew Association), and other organizations came in to share this responsibility. Then we asked the American Library Association to put up a well-equipped library in every camp. I remember on the Mexican border when the train would stop at a watering-tank the boys would come in and ask if we had anything to read, an old book or an old magazine or anything of that sort. They had nothing to read down there at all. In every large camp there is now a well-equipped library which has been erected at the expense of the American Library Association. They raised \$1,500,000 for that purpose. There is in camp every book a man wants to read, every book for which there is a demand. . . . I was talking with General Kuhn over at Camp Meade the other night about it, and he said, "I

³⁰ *Ibid.*; p. 656.

have a regular university over here." It is true, because the men are beginning to read and then a good many of the men in our training-camps had their courses of study interrupted. They were electrical engineers or mechanical engineers when they were drafted into the service, and some of them in their spare time want to keep up their work and are asking for technical books. The American Library Association is supplying all the technical books for which there is a demand.

Then we asked the Young Women's Christian Association to put up hostess-houses in every camp. I have seen on the American border and at Plattsburg the women relatives of the men standing around the windy corners of the camp streets hunting for their men relatives, with no place to meet them and no place to go to talk with them when they did meet them. The hostess-house is a unique institution. It was not very favorably received when we first suggested the idea; that is, up at the War College. They thought it was a sort of high-brow affair and unnecessary, but now there is not a commanding officer who is not asking for a hostess-house, and we receive complaining telegrams from commanding officers asking why they have not a hostess-house in their camp. It is an institution which is filling a decided need in the military camp, and it does not cost the Government a cent, because the Y. W. C. A. have assumed the entire cost and have been backed up by their organizations in this work.³¹

The activities which Mr. Fosdick's commission undertook to introduce into the camps may be roughly classified under the two broad heads of recreational and educational. The chief recreational activities were athletics, mass-singing, and entertainments.

I. ATHLETICS. Mr. Fosdick reported on camp athletics as follows: "We have put an athletic-director in every large camp in the United States, and also a boxing-instructor. This idea we got from France, where it had been followed in the French army and in the English army. It is very important that the fellows should know how to play, and that they should all play. It is important for this reason: When they come

³¹ "Hearings on Training-Camp Activities Before the House Committee on Military Affairs, March 4, 1918"; pp. 8-9. The buildings were put up with private funds. Testimony of General Littell, "House Hearings on the Army Appropriation Bill for 1919"; Vol. I. p. 940.

out of the trenches they are completely upset, deranged mentally, and there is nothing like play to get them back on a normal mental level. One of the English officers was telling me the other day that just after the Vimy ridge was stormed by the Canadians, they staged a baseball game right on what had been 'No-Man's Land,' and it was done deliberately. They were fighting out some championship, and thousands of men were out there to see this baseball game between a couple of the nines. The commanding officer did that deliberately because he wanted to get those men back on a normal basis. The Canadian and English and French officers have emphasized to us the necessity of getting them to learn to play hard; to play games for which no equipment is needed, so that they will fall instinctively into play. I was down at Camp Hancock the other day, and Walter Camp, Jr., who is our athletic-director down there, was at work with some of his people. The men had been out on a hard march, a hike, a whole division of them, and they were tired and footsore, and perhaps a little mentally sore, too. Then the athletic-director, standing up on a platform as high as this room, first put the whole division through hard calisthenic exercises for fifteen minutes, and then they started on what he called organized play, doing all sorts of things which would look very foolish on first glance. They played leap-frog, using a large number of ropes with lead weights on the ends, one man standing in the center of a group and spinning the rope around, and the men would have to hop over it at the right time or it would cut their legs from under them. At the end of fifteen minutes those men went back to their barracks singing. The desired psychological result had been obtained." ³²

The commission laid special emphasis on instruction in boxing. "The boxing-coaches have perhaps a more immediate bearing on the military side. Boxing is very like bayonet-fighting. The movements are the same; the thrust with the right arm in boxing is the same as the jab with the bayonet. We

³² "Hearings"; pp. 9-10.

had a film made the other day showing the intimate relationship between the two. We had Kid McCoy and a captain from the Canadian army who is an expert in bayonet fighting go through the motions together to bring out the similarity. We want to develop boxing in the army for all it is worth. And the men are taking to it wonderfully. They are boxing now in all the camps in the United States.”³³

2. MASS-SINGING. Secondly, the Commission undertook to develop mass-singing in the camps. At the outset, said Mr. Fosdick, it was looked on in some quarters as “a high-brow performance,” and “the chief of staff was very uncertain about the wisdom of it. We put a song-coach in every camp in the United States. We have never had a singing army in America. The foreign armies have all been singing armies. When I was over in France, and particularly in Germany before the war, I remember those regiments coming along the roads, singing their marching songs. When a regiment goes out on a hike and sings, it comes in $33\frac{1}{3}$ per cent. fresher, our army officers are telling us now, and we wanted, just as an experiment in building up the morale of the troops, to try out this song business.”³⁴ Some of the experienced officers in the Regular Army gave mass-singing their enthusiastic support from the very outset. Thus General Leonard Wood, in organizing Camp Funston, charged his staff officers: “It is just as essential that the soldiers know how to sing as that they know how to carry rifles and shoot them. It sounds odd to the ordinary person when you tell him every soldier should be a singer. But when you know the boys as I know them, you will realize how much it means to them to sing. There is n’t anything in the world, even letters from home, that will raise a soldier’s spirits like a good catchy marching-tune. . . . I have seen men toiling for hours through mud and rain, every one of them dejected, spiritless, tired, cold, and wet, cursing the day they entered the army, suddenly transformed into a happy devil-

³³ “Hearings”; p. 10.

³⁴ “Hearings”; pp. 10-11

may-care frame of mind through a song. Their heads pop up in the air, their eyes sparkle, and the spring comes back to their step. Singing makes a man feel that the clouds have a cheerful lining.”³⁵

The song-coaches got \$1800 a year. Many of them were men with reputations which commanded a far higher figure in civil life. It was another instance of sacrifice in the interest of the Government. Until funds were made available by Congress, the work was carried on with the proceeds of private subscriptions.

3. ENTERTAINMENTS. The Commission on Training-Camp Activities was of the opinion that “there is nothing like a good show at night for a man who is tired out to keep him in good condition,” and also out of mischief. Accordingly in each of the sixteen National Army cantonments the commission built a fully equipped modern theater building, seating 3000 people and costing about \$35,000. In the National Guard camps, where there was not the same guaranty of permanence, auditoriums were provided that would seat about 1200 people and cost only \$5500 to build and equip. Tents were also provided in both camps and cantonments for Chautauqua entertainments.

The work of arranging dramatic programs for the “Liberty theaters,” as they were called, was in charge of Marc Klaw, of Klaw & Erlanger, who was a member of the Commission on Training-Camp Activities, and who was assisted by a committee of twenty-three prominent theatrical men.³⁶ More than a dozen companies were put on the road to tour the cantonments, presenting musical shows such as “Baby Mine” and “Kick In.” Where the cantonment was located in the neighborhood of a large city, arrangements were often made to have one of

³⁵ See “Report of the Camp Music Division, Commission on Training-Camp Activities”; Washington, Government Printing-Office, 1919, p. 9.

³⁶ See “Hearings”; p. 11: “Hearings Before the House Military Affairs Committee on the Army Appropriation Bill for 1919, December 7, 1918–February 8, 1918”; Vol. 1, p. 941.

the companies playing there present its show on Sunday afternoon in the Liberty theater. When no "real" plays were offered, moving-pictures were shown, making it unnecessary for the soldier to leave camp to seek amusement.³⁷

The soldiers were charged a small fee, ranging from five to twenty-five cents, for admission to the regularly scheduled shows. Further funds for the support of the theaters were raised from private subscriptions through the country by a so-called "Smileage Fund" campaign.³⁸

In a few of the camps which were first organized, concessions for supplying theatrical entertainment had been granted to private persons, and, in one instance at least, the result was unsatisfactory. Soldiers reported that the performances were so vulgar that they could not attend them. The commission intervened, and the show was "reformed." "Most of the shows are of the right sort," Mr. Fosdick told the Military Affairs Committee. "We are opening up at the embarkation-camp in Hoboken with 'Turn to the Right,' which is a good show. Then we borrow shows occasionally — Maude Adams and shows of that kind — and moving-pictures are kept running all the time, and the soldiers are very enthusiastic about them."³⁹

The commission recognized that however much was done to provide wholesome entertainment in the camps, the soldiers would inevitably spend part of their time in the near-by communities and that something would have to be done there also to provide a tempting and proper environment. Accordingly the Playground and Recreation Association of America, of which Mr. Joseph Lee of Boston, a member of the commission, was president, was asked to take charge of this work and see that the social and recreational facilities of the communities adjoining the camps at the disposal of the soldiers were of the

³⁷ "Forging the Sword; The Story of Camp Devens," by W. J. Robinson; p. 27.

³⁸ Three million dollars were raised. War Department, "Annual Report," 1919; Vol. 1, p. 34.

³⁹ "Hearings on Training-Camp Activities"; p. 12.

best. The association sent out a hundred representatives and succeeded in organizing a "War Camp Community Service" in about the same number of communities. The plan was to establish in every town or city near a camp a committee of leading men and women to organize for the soldier's use the various social and recreational opportunities which the community afforded. Through these committees clean entertainments and wholesome environments were thrown open to soldiers on the vast scale necessary to provide for the large number of men who were spending some of their leisure in towns near the camps.⁴⁰

4. PROVISION OF EDUCATIONAL OPPORTUNITIES. The steps taken by the commission to provide books and library facilities for the soldiers have already been touched on. A special library building was put up in each cantonment and National Guard camp, the cost being defrayed out of a fund of more than a million dollars raised by the American Library Association for the purpose. In addition to this, definite educational opportunities in the form of organized courses and classes were offered. The program was planned and the work supervised by a committee of prominent educators.⁴¹ An attempt was made to offer courses in the camps in all the subjects for which there was a demand. The services of the educational department of the Young Men's Christian Association were utilized for university extension courses, and wherever possible such educational facilities as the near-by civilian communities could afford were put at the soldiers' disposal. Local committees were formed in these communities, and one of the ways in which they coöperated most effectively was in securing teachers of French. Special attention was given to this work and a course was offered in which a vocabulary of six or seven hundred

⁴⁰ "House Hearings on the Army Appropriation Bill for 1919"; Vol. 1, p. 942.

⁴¹ Dr. William Orr, chairman; Dr. P. P. Claxton, United States commissioner of education; Dr. Henry P. Judson, president of the University of Chicago; Dr. J. H. Finley of the University of New York; Colonel P. H. Callahan of Louisville, Kentucky.

French words could be learned during the regular period of military training. In many camps a more elementary need was met with — the need of teaching the English language to soldiers of foreign-extraction. Special efforts were made to meet this need. In one National Army cantonment alone, two thousand men were enrolled in classes to learn to read and write English. The war thus became by accident the means of doing something toward solving one of the pressing problems of Americanization.⁴²

The aid rendered in this educational work by the civilian communities near the camps was of primary importance. Atlanta, Burlington, Vermont; Charleston, South Carolina; Chicago, Indianapolis, Pensacola, San Francisco, Minneapolis, Spartanburg, South Carolina; Chattanooga, and many other cities and towns coöperated energetically to the full extent of their school facilities. The Universities of South Carolina, Texas, and Georgia placed their staff and equipment at the service of the soldiers in the adjoining camps.⁴³ At Camp Bliss alone two thousand men were enrolled in classes conducted by members of the University of Texas faculty.

5

In the organization of its work, the Commission on Training-Camp Activities applied many of the same principles of administration which had been used in administering the Selective Service Act. This will have been observed in the foregoing account. Thus the commission started out with the idea of creating no more new machinery than was absolutely necessary, and worked largely through the organizations of existing voluntary bodies — the Young Men's Christian Association, Knights of Columbus, Young Men's Hebrew Association, Young Women's Christian Association, American Library Association, Playground and Recreation Association of Amer-

⁴² "House Hearings on the Army Appropriation Bill for 1919"; Vol. I, p. 942.

⁴³ See leaflet of United States Bureau of Education on "Educational Work in Training-Camps."

ica, and the like. The membership of the commission itself was selected with this policy in view, and included men in close touch with one or another of these bodies. Secondly, wherever possible the commission worked through the local communities where the camps were situated. This has been seen in connection with both the positive and negative sides of its work. Thus law-enforcement work was largely carried on through the local police, and the women protective officers who aided in this work were paid by the local communities. So also with the educational activities, reviewed in the last paragraph.

A word needs to be said about the coöperation of some of the more important voluntary organizations on which the commission relied. Chief among them was the Young Men's Christian Association, which was represented on the commission by Dr. John R. Mott. The association erected a variety of recreational and social buildings, often as many as a dozen, in each of the camps and cantonments. These included writing-rooms, lounging-rooms, and a gymnasium. In the autumn of 1917 the association already had a staff available for the athletic, musical, recreational, and educational work which has been described. The Knights of Columbus by October 15, 1917, had built sixty-five halls in the camps and shortly afterwards had several hundred secretaries at work. The latter organization was intended to represent the Catholic Church, to which more than 30 per cent. of the new army belonged, just as the Young Men's Christian Association represented the Protestant denominations. The work of both bodies, however, was required to be strictly non-sectarian, and their admission to the military reservations was on express condition that their buildings and facilities should at all times be open to the entire camp.⁴⁴

In addition to the administrative advantages of the policy adopted for carrying out social work in the army through voluntary organizations and the local communities, that policy em-

⁴⁴ See a pamphlet issued by the War Department on "The Commission on Training-Camp Activities."

bodied a further advantage, its cheapness. It has already been seen that these extra-governmental agencies bore the expenses of most of the work directed by the Commission on Training-Camp Activities. During the first fiscal year of the war — that is, up to June 30, 1918 — the commission had at its disposal only \$750,000. Its estimate of its requirements for the following year was fixed at the moderate sum of \$1,500,000. This was a low price to pay for work of which Secretary Baker said, "I regard the work of the Commission on Training-Camp Activities as a most significant factor in winning the war."

6

The administration's social program for the army might well have been expected to stop at the ports of embarkation; but in fact it followed the soldiers to Europe. Everywhere behind the actual fighting front in France were training- and replacement-camps, hospitals, staff headquarters, and base-ports. Large areas more or less remote from the scene of operations were filled with American soldiers in training, on leave, or engaged in non-combatant service. The problem of these men was the same as that of the soldiers in training in the United States, and the same measures were resorted to. The policy adopted was to supply the men so far as possible with opportunities to use their spare time in ways which would contribute to upbuild rather than to undermine their morale.

In France the bulk of this work was in the hands of the Young Men's Christian Association. Virtually all the other voluntary associations, including the Salvation Army, which did social work with the soldiers in the United States, were represented overseas; but none of them had so ambitious a program or one which extended over so many fields as the Y. M. C. A. This program fell roughly under three heads:

- (1) To provide athletic facilities, amusements, and educational classes.
- (2) To provide religious exercises.
- (3) To provide post-exchange facilities.

Work falling under the first head was planned on an elaborate scale. The ground was prepared by sending some prominent expert in the field of work proposed on a tour of inspection to survey the possibilities and recommend a program adapted to the situation. Such a tour was that of E. H. Sothern and Winthrop Ames, who returned from France to organize the American theatrical profession as a base of supplies for the Y. M. C. A. theaters in France. Such a tour, again, was that of Dr. Anson Phelps Stokes of Yale, who was invited to draw up a plan for educational work. What was actually undertaken in those fields will be described later on.

The association had to adapt its work to two radically different sets of conditions—the conditions existing in the great base-camps and those existing at the actual fighting front. In the busy confusion of the base-camps, with their swarming thousands of troops of all kinds, the Y. M. C. A. erected its large wooden “huts,” each marked at the end with the bright red triangle which was the association’s badge. The life and activities centering about such a typical “hut” have been thus described by one of the association’s workers:

The hut usually contains a canteen-room, a large lecture-hall, and a number of smaller rooms for classes and group-meetings. In this building and on the athletic-field close by centers the camp life of the troops. The canteen, a large lounging-place, fitted up with board benches and tables, decorated with gay bunting or bright pictures of home life, is usually thronged at every hour of the day when soldiers can be found off duty; for it is generally the only place in the camp where soldiers can gather for recreational or social purposes. At one end, by the canteen-counter, lined up to get their hot coffee, their buns, crackers, sweet chocolate, sandwiches, or the like, are crowds of soldiers; others are sitting at the tables, writing letters home on the stationery furnished them; still others are at the other end of the room, gathered around the piano or victrola, playing the tunes they used to play at home; many are reading the home newspapers and magazines which are given out at the counter, or selecting books from the library, or matching their wits in friendly games of checkers. Outside on the athletic-field during such afternoons as they are not on duty, crowds of soldiers are delighting in games of baseball, hand-

ball, or volley-ball, or watching a boxing- or wrestling-match, or taking part in inter-company field-contests. . . . In another part of the hut is a large lecture-room with a stage at one end; here are given in the evenings educational lectures, soldier minstrel-shows, musical entertainments, cinema-shows, patriotic addresses, and religious talks. . . . Surging in and out of the thirty huts in one of those base-camps there pass daily actually sixty thousand men of every race and creed; every night between ten and fifteen thousand men are listening to educational lectures and entertainments; on two nights every week a like number are crowding to hear religious talks. . . .

Closer to the firing-line all large buildings become impossible. It would be unsafe, from a military viewpoint, to mass so many troops where they could be seen and shelled together. The "huts" becoming impossible and large meetings being unsafe, the Y. M. C. A. must devise smaller units and, in company with the soldiers whom it seeks to serve, go underground. If the conditions under which it must work in the great base-camps are unusual, they are infinitely more so in the desolated towns under enemy shell-fire. . . .

The writer goes on to describe the conditions of the association's work in one of these desolated towns:

On the wall of what was formerly a French home of the better class we see painted a large red triangle. Here the Y. M. C. A. secretaries have lived through all the furious shelling of the preceding months, serving hot coffee and caring for the needs of thousands of soldiers. . . . The upper stories, scarred with shrapnel and flying steel fragments, are not in use; the secretaries are sleeping underground in what was once a wine-cellar. . . . Under the city is a vast network of labyrinthine cellars and connecting passages, and in these underground mazes, with the rats and vermin, the soldiers are living. No wonder that the little friendly Y. M. C. A. building is thronged with troops night after night. We hear that in some way the secretaries managed to secure last week fifteen thousand fresh eggs which they supplied to the troops going up to the trenches; they are giving out ninety gallons of hot coffee every night. . . .

Still nearer the firing-line, often only a few hundred yards back of the front-line trenches, are the little Y. M. C. A. dug-outs for serving the troops as they enter and leave the trenches. . . . On diving down into one of these dug-outs, at first we can see nothing; then by the dim light of a sputtering candle we can make out the forms of troops in their steel helmets gathered around us. Over in the rear a secretary is serving out hot coffee. The darkness, the foulness of the atmos-

phere, the cramped dimensions of this rat-ridden den, make a squalid setting. But the Y. M. C. A. must follow the troops wherever they go, a secretary tells me. "The greater the shell-fire, the greater the need." ⁴⁵

Another eye-witness has given an interesting glimpse of Y. M. C. A. work in the front-line region. "A detachment of seasoned American troops recently moved to the heart of the great battle. It was several weeks *en route*, and a contingent of Y. M. C. A. secretaries with sixteen motor-trucks accompanied it all the way. When the men got out of the trains on the first stage of their journey, they found hot chocolate and tobacco waiting; when they camped after a day's march, on the ground, in barns, in tents, hot chocolate again, and open-air movies were on tap. . . . One resourceful secretary had got a bath going; a battered tin tub, rescued from a back yard and set in a tiled kitchen, a stove that had once heated water for laundry purposes, a detail of two soldiers to keep up the fire, cart the water (in rusty pails rescued from the roadside), give 'back scrubs' on request, empty and clean the tub — this was the organization. Baths were twenty minutes long and ten cents apiece, booked three days ahead by officers and men alike." ⁴⁶

The practical results of this work of the Y. M. C. A. in strengthening the morale of the troops in France were such that the military authorities came to place much dependence upon it. Mr. Sayre gives a telling instance:

When the first detachment of American troops arrived [in the fighting zone] the military authorities had had no opportunity to send previous notification to the Y. M. C. A.; and so the first troops found themselves quartered in little French peasant-towns with no Y. M. C. A. huts or tents in sight. The soldiers, most of them from comfortable American homes, were billeted in dirty barns, in dirtier outhouses, or wherever a roof could be found, sometimes with cattle below them and the

⁴⁵ Francis B. Sayre in "Harper's Magazine," February, 1918; pp. 360 ff.

⁴⁶ Elizabeth Shipley Sargent in "The New Republic," June 22, 1918; p. 228.

chickens above; they were eating their mess in the middle of the street and washing their clothes in neighboring streams. There was no place in the whole village where they could gather to write letters, to play games, or to read; no books or magazines were to be had at any price; they could purchase no tobacco, chocolate, or soft drinks; the little towns seemed absolutely barren of recreation or amusement of any legitimate kind. Furthermore, they had had no letters from America since they had left; and they were in a strange country whose language and customs they did not understand; with only evil ways in which to spend the money burning in their pockets, with nothing to relieve the dull monotony of idle evenings, many of them began to get homesick or to drift along dangerous paths. It was not many days before officers began to send hurry calls to the Y. M. C. A. headquarters in Paris: "For God's sake come down here before it's too late and do something for my men." Ten days after the arrival in camp of one of the secretaries who were hastily despatched, he sent back the following typical program, which he had arranged as a starter to show the boys that the Y. M. C. A. was on the job.

Monday evening.—Scotch stories and lecture by Dr. Robert Freeman of Pasadena, California.

Tuesday evening.—Regimental band-concert.

Wednesday afternoon (half-holiday).—Inter-company athletics.

Wednesday evening.—Minstrel show arranged by a sergeant.

Thursday evening.—Musical evening under the leadership of Jerry Reynolds. Local talent, violin, harmonica, banjo, and quartet discovered in the regiment.

Friday evening.—Men busy with military night maneuvers.

Saturday night.—Moving pictures, *Wild West*, and *Charlie Chaplin*.

Sunday, 9 A. M.—Chaplain's Bible-class.

Sunday, 6 P. M.—Evening service.⁴⁷

This program gives an excellent idea of the recreational work carried on by the association. Much of it was simple, primitive, and "home-made," the entertainers being drawn from among the boys themselves. There was much, however, which was not of this character. Prominent lecturers, musicians, and players gave their services to the association and toured the expeditionary force. Among the most successful of the

⁴⁷ "Harper's Magazine," February, 1918; p. 364.

latter were Miss Elsie Janis and the troupe of players gotten together by John Craig to present "Baby Mine." At the beginning of 1913, on General Pershing's suggestion, Mr. E. C. Carter, the general secretary of the Y. M. C. A. in France, requested that some men conversant with theatrical matters should be sent abroad to investigate the possibilities for providing entertainment for the troops. The result was the tour of inspection of Mr. Sothern and Mr. Winthrop Ames already referred to.⁴⁸ On their return to America they addressed a great meeting of several thousand player-folk at the Palace Theater in New York, and "America's Over-There Theater League" was organized. This was an association of actors which undertook to supply dramatic performers for work with the soldiers in France. A considerable number of small companies were formed and sent over to act in groups of from three to five, a troupe of this size being found best suited to the conditions of camp-entertainment.⁴⁹ These companies, and the other singers and lecturers furnished by the "Y.," carried their activities up to the very fighting front and supplied relaxation and entertainment to the men who needed it most in the sound of the guns. Mr. Sothern's account of a recitation from "Hamlet" in a dark room filled with soldiers, while an air-raid was taking place overhead, gives a vital picture of what goes to build morale.⁵⁰

Educational work was necessarily confined to the base- and leave-areas behind the lines. A program for this work was drawn up by Dr. Anson Phelps Stokes of Yale, who went to France at the request of the War Work Council of the "Y.," and this program was approved on February 28, 1918, by General Pershing. In his report Dr. Stokes outlined the

⁴⁸ See account by Mr. Sothern in "Scribner's Magazine," July, 1918; p. 22.

⁴⁹ "New York Times," September 29, 1918; Part IV, column 6.

⁵⁰ In "Scribner's Magazine," *loc. cit.* An elaborate and interesting account of the work has been written in "Entertaining the American Army," by James W. Evans and Captain Gardner Harding, New York, "Association Press," 1921; p. 259.

fundamental considerations governing the work and its possibilities and limitations.

The primary and immediate purpose of the educational work is to help the army win the war; the secondary object is to help the army fit men better to discharge their duties as citizens on their return to America. The work must stand the acid test of whether or not it will improve the military efficiency and the fighting edge of the individual soldier. In this connection four fundamental questions require answers before any educational plan can be discussed. They are the questions of (1) time; (2) inclination; (3) specific demands; and (4) military results.

1. Have the soldiers who are not actually at the front time after meeting their military duties to attend educational classes? The answer is "Yes." As the intensity and complex character of modern warfare does not permit the majority of the numbers of an army to be in the front-line trenches at the same time, most of the soldiers are living under conditions where some study is possible. There is as a rule adequate time in the late afternoon and evening. Conditions vary in different camps, but generally there is at least two hours after supper without regular duties. In almost all camps the Y. M. C. A. huts are packed with men reading, writing, enjoying entertainments, or talking from before six until eight-thirty or later in the evening.

2. Have the soldiers the inclination to make use of educational advantages when offered? The answer is "Yes" if the educational opportunities are of a type suited to their needs. The number of men who have specially asked for French classes and other types of instruction is significant.

3. For what types of work is there most immediate demand? (a) Instruction in French, so that the men may make their wants known, and understand and get along with the people among whom they are living. (b) Lectures on the character and history of the French and English people. The average soldier will be much more sympathetic with his French and English allies and prove more effective as a fighting man if he knows more about them. (c) Instruction in the causes of the war and of America's participation. Questionnaires at several camps show that a large proportion of men have no adequate conception of the reasons for the war. This means a great loss of efficiency.

4. Hence educational work will increase the fighting power of the American soldier. Nothing will do so much to give the soldier a keen edge for battle as the strengthening of his moral convictions as to the

vital importance of defeating at all costs the armies now controlled by the military autocracy of Prussia. In fact, it is part of our thesis that education regarding the tremendous moral issues actually at stake in this war is a necessity if our soldiers are to meet triumphantly the severe test of trench warfare. Educational work not only has a good effect on the mental attitude of the soldier but by offering him an interesting evening occupation tends to prevent dissipation.⁵¹

The program called for the appointment of a central educational commission with offices in Paris.⁵² This commission was to work through the Y. M. C. A. divisional directors and hut-secretaries, who were to have actual charge of the work. Lectures were to be given in the main room of the huts, and classes were to be held in the smaller rooms. Teachers and lecturers were to be drawn from the Y. M. C. A. secretaries, army interpreters, and from among the soldiers themselves. For the teaching of French, native teachers from the locality, usually *lycée* professors, soon became available. This branch of the work rapidly developed, and by October 1, 1918, it was estimated that there were two hundred thousand soldiers studying French from a text-book especially prepared for their use.⁵³ To increase interest in the French language and art a theatrical company composed of members of the Comédie Française and the Odéon was sent during July and August to perform at the large camps at Brest and St. Nazaire. Another branch of work for which the need soon became apparent and which rapidly developed in importance was the teaching of English to illiterate and foreign-born drafted men. By October 31 there were thirty thousand troops reached by this teaching; and the chairman of the educational commission reported that it was needed by many more, but the work was restricted by the lack of text-books and copy-books. Educational work in other fields, such as history and war-aims, was conducted through the medium

⁵¹ "Educational Plans for the Army Abroad," by Anson Phelps Stokes, Association Press, New York, 1918; pp. 17-22.

⁵² During the summer of 1918 Professor John Erskine of Columbia University was at the head of the work.

⁵³ Stokes, *op. cit.*; p. 81.

of lectures given either by the secretaries themselves or by special lecturers who toured the camps. To stimulate the study of geography, each hut was equipped with a set of maps; and hundreds of thousands of books were placed in the huts and made available to the soldiers.⁵⁴

The directors of the educational work reported having encountered one peculiar obstacle. "The emphasis of the Y. M. C. A. work in France has been largely upon the canteen service, and many hut secretaries and divisional directors frankly believe that the canteen, supplemented with religious programs, should be the whole enterprise of the Y. M. C. A. It is not an exaggeration to say that 75 per cent. of the secretaries underestimate the intellectual hunger of the men. Until we realize that the minds of the soldiers are enormously stimulated by the war, and that their intellectual curiosity must be satisfied if the war is to be fought with the greatest success, we shall be missing one chief usefulness in France."⁵⁵

In addition to the program for educational work in France during the war, Dr. Stokes presented also an elaborate plan for expanding such work during the period of demobilization. This plan called not merely for elementary and vocational instruction, but also for work of a university grade and for the sending of a limited number of men to attend courses at French and English universities. The great scale on which this work was actually organized after the armistice is a notable and novel feature of army policy; but it lies beyond the proper scope of this book, and the reader is referred for a brief account of it to General Pershing's final report.

7

No review of the Y. M. C. A.'s work in France would be adequate without some mention of the criticism and dissatisfaction which it provoked. As one journalist put it, the "Y." was the best loved institution in the army; but it was also the

⁵⁴ From October, 1917, to July 1, 1918, 3,847,558 books were sent to the field. Of these, 266,657 were Testaments and religious books.

⁵⁵ Stokes, *op. cit.*; p. 57.

most violently criticized.⁵⁶ The ground of dissatisfaction was twofold. Partly it grew out of minor irritations incidental to the association's performance of post-exchange functions. These functions consisted in selling to the soldiers tobacco, cigarettes, milk-chocolate, and other small personal conveniences at cost. The same articles were also for sale by the quartermaster's corps post-exchanges. The quartermaster's corps, as a part of the army, did not have to pay transportation charges on its supplies, and hence could offer them at a lower price than the "Y." found necessary to cover their cost. This led to the feeling among many of the men that the "Y." was seeking to make a profit. So strong did this feeling become that in the case of one article, "Bull Durham" tobacco, the "Y." withdrew from the field altogether and left the sale of the article entirely to the post-exchanges. Another source of irritation was deeper. Many of the Y. M. C. A. secretaries had had their previous training and experience entirely in religious work of an evangelical kind. Thrust into the midst of men of a different stamp from those with whom they had been accustomed to deal, men with a different outlook on life, different prejudices, and different needs, they did not readily adapt themselves to the requirements of a new situation and employed methods which the men resented. Many of the men objected to the projection of religion into meetings which were nominally supposed to be recreational. They did not want to have a prayer foisted upon them in the midst of a movie-show; they did not want to go to a concert and find that they were expected to sing hymns. Of course, a great deal depended on the personality of the particular secretaries. Some of them could succeed in carrying through the very things which led to the failure of others. If a secretary by his personality and in the course of his daily contacts with the men convinced them that he was a red-blooded human being, sympathetic and strong, they raised no objection to tactics on his part which they would

⁵⁶ Elizabeth Shipley Sargent, in "The New Republic," June 22, 1918; p. 228.

have resented in another man whom they regarded as a sniveling fanatic. The criticism was made that the association was not always wise in its choice of representatives. At the outset it laid much emphasis on the religious convictions of the men it was about to send over, and on such questions as whether they smoked and drank, and whether or not they were regular church-attendants. Unitarians, for instance, were not accepted. Insistence on such qualifications resulted in the sending of many men who were not well qualified for the work they had to do. Practical experience convinced the "Y." of its mistake, the policy was altered, and in the end the kind of men were being sent that the soldiers wanted.

Taking all factors into account and weighing grounds of criticism against what was actually achieved, the immense service of the Y. M. C. A.'s work in France can hardly be questioned. It supplied the soldiers with comforts and interests which did something to make less sharp the transition from civilian to military life. It thereby contributed to maintaining their morale and to carrying over into scenes of warfare some of the inhibitions and restraints which operate in time of peace to protect the better sides of personality. It furnished much of what was wholesome and valuable under circumstances from which such things are only too often absent; and if incidentally it adopted a policy which in some respects was open to misunderstanding or ran counter to the grain of prejudice, such failings in retrospect do not detract from the immense debt of gratitude which is due to the only body that was organized and equipped to do the work it set out to do, and which did that work unselfishly, heroically, and, in the main, efficiently.

8

How far did the elaborate organization of army welfare work, which has been so far outlined, go toward accomplishing what was expected of it? How far did it achieve the results which it was expected to achieve, and meet the problems which it was intended to meet? The results have been differently

assessed in different quarters. On the one hand a pessimistic view has been taken by some observers; and it may be well to look at the articles of their indictment. A good illustration of this view is an article on "Life in an Army Training-Camp," by Frank Tannenbaum, published in "The Dial" for April 5, 1919. Mr. Tannenbaum says:

I do not want to go into a discussion of the activities of the various welfare organizations, and of their value to the soldier, except to say that their activities as a whole have failed to reach the core of the problem—the provision of an opportunity for initiative and self-expression—and that at the very best they have reached but a small portion of the men. While they have had a very definite value in providing little things, they have failed to do so in the larger and deeper sense—failed both as educational and moral centers providing an imaginative and convincing interpretation of the world-forces which brought the men into the army. In fact, the truth is that not only did they fail to give the soldier something of the meaning of the things involved in a spiritual way in America's entrance into the war, but that they seem never to have realized that there was an opportunity to fill a very definite need. The welfare organizations as a whole seem to have been perfectly helpless in the light of this need. Their lack of imagination, and their helpless and antiquated attitude as to what constituted the essentials of moral activity under these conditions was pathetic. They therefore failed to render the one vital and essential service to both the soldier and the nation that was at this time so much needed and that would have given these organizations a real part in making the American war-effort mean something to the world in a spiritual way.

In order to understand this criticism it is necessary to understand what was expected by the critic from the organizations he criticizes and whose efforts he indicts with failure. Mr. Tannenbaum states what he conceives to be the problem as follows:

Camp-life reduces all things to one level. It dresses all bodies in one cloth, and contracts all souls into one mood—irresponsibility. For the soldier's life is so arranged that the only thing to do is to be irresponsible. His food, shelter, and clothing are provided for him. He has no voice in matters of the most intimate and personal activity. He can do nothing of his own volition. The shape of his shoes, the color of his hat-cord, the size of his necktie, and the place of his bed are regulated and determined for him. He lives a life where the will

has no meaning and where thought and initiative are not only not demanded but suppressed. He is a nearer approach to an animate tool acting under response to external stimuli than any other human contrivance.

This reduction of the individual variant is not only in things material but in things spiritual as well. Not only do soldiers look alike, but to an extraordinary degree they think and feel alike, and about the same things. In civil life each individual is constantly called upon to exercise initiative in the solution of problems peculiar to himself — which involve personal responsibility. But in the army the problem and the situation are very much alike for each man. It is the problem of finding some medium of creative individual expression inside a system that strives to mold all character and all thought into a single formula and into a single type — a type capable of acting without hesitation to certain given and purely external stimuli having little or no correlation within the experiences of the men themselves.

These paragraphs illustrate the point of view from which Mr. Tannenbaum's criticisms of social work in the army are directed. He has obviously a delicate appreciation of those values of human personality which depend upon personal individuality and upon the capacity and freedom to embody that individuality in acts of self-expression of a creative kind. He finds that the social work as carried on in the army did little to promote these values — to further this kind of self-expression and to expand and develop spiritual responsibility. At the same time in the camps he came into contact with a widespread attitude extremely offensive to a man sensitive to the higher moral values, an attitude indeed fundamentally hostile to them, as he rightly believes. His observations on the psychology of the average soldier are penetrating:

It is no exaggeration to say that practically every soldier gambles. There is no other activity that is so popular or that seems so satisfactory. Gambling has many forms, but the shooting of dice (craps) is the most popular. "Crap-shooting" for money is prohibited in the army, and in my camp there has just been issued an order increasing the penalty. But that is the one rule that no one obeys. It is played everywhere and on all occasions. I have seen men on the drill-field given a few minutes' rest take dice from their pockets and start a game. At night when the lights are out, they will crouch around a candle shielded

from observation, and stretched on the floor, or straight on their stomachs, with bated breath and flushed faces, either as participants or observers, spend hours at the game. . . .

The soldier is very much concerned about woman. Just as gambling is one of the serious occupations of the soldier, so is the search after woman one of the great games he plays. It is the game of a huntsman, and like a good hunter he displays persistence, energy, avidity, and resourcefulness in the chase. And generally speaking, this activity in the pursuit of woman is not in vain, for by and large practically every soldier who participates in this activity—and a very large majority do—finds his efforts rewarded. And in this process, he reduces all social institutions within his reach from the church to the gambling-house to an instrument for his end, and does so deliberately. . . . The interesting thing is the soldier's attitude toward woman as that attitude is affected by his life in camp and the narrow outlets which it forces upon him. This attitude is unexpected. It is the attitude of the scientist. It is an attitude shorn of modesty, morals, sentiment, and subjectivity. It is immodest, unmoral, objective, evaluating, and experimental. Men will sit till late at night in a darkened tent, or lie on their cots, their faces covered with the pale glow of a tent-stove that burns red on cold nights, and talk about women,—but this talk is of the physical rather than the emotional, of the types, the reactions, the temperaments, the differences and the peculiarities of moral concepts, the degrees of perversity, the physical reactions, the methods of approach—in fact, as if it were a problem in physics rather than morals.

The lack of personal interest, the freedom from care, the absence of the restraint of family and association, the close intimacy with men to the exclusion of women, accentuates the interest of and the craving for woman. This craving for the escape from an unnatural and dissatisfying condition lacks, however, most of those sentimental and affectional aspects which we consider a normal consequence to the intimacy between man and woman. It is an expression of physical hunger desiring physical satiation. It is very much akin to the craving for food by a hungry man, and is talked about in terms applicable to food-hunger, food-acquisition, and food-satisfying qualities.

These observations, acute as they are, represent the reactions of a sensitive and finely-grained man against average human nature as it exists in the rough, and roughened still more by the elemental conditions of camp life. They present a picture, however, of just the attitudes and conditions which the program of social work in the army was designed to combat. In so far

as such things continued to exist, they showed that that work had not achieved its end; and that they did continue to be widely prevalent, no one with any knowledge of camp and of soldiers can doubt for a moment. But it is questionable whether we are justified in concluding from this that social work in the army was a failure. Mr. Tannenbaum's criticism is that such work failed to "provide an imaginative and convincing interpretation of world-forces," and failed to supply channels of individual self-expression to protect the creative side of personality against the leveling influences of army life. Admitting this and admitting also the prevalence through the army of many of the cruder forms of dissipation and vice, we are by no means driven to his sweeping conclusion. In the first place it may be doubted whether there is any strong craving or any capacity for that form of creative self-expression of which he speaks among the bulk of the civilian population. The average man's demands are less spiritualized. And in the second place it must be remembered that among large portions of the civilian population the vices by which he was offended are common and frequent. To expect social work to eradicate these vices in the army, or even to eradicate them below the point at which they exist in civil life, would be to demand the impossible. Even if they increased in the army greatly beyond their usual prevalence among civilians, it would by no means follow that army social work had not been successful. If that work served at all to hold such things in check, to prevent their expanding to the proportions to which they might have expanded in the absence of social work, a great deal would have been accomplished. Social work in the camps could hardly be expected to raise the moral tone of soldiers above that of civilians; it could hardly even be expected to maintain it at the civilian level. What could be expected was the maintenance of a higher moral level among the soldiers than would otherwise have been possible; and that that much was accomplished there can hardly be any doubt.

In considering a question of this kind, it has to be remem-

bered that an army is made up of all sorts of men. Many of them are drawn from classes of the community where, owing to some of the tendencies of modern life, few of those social restraints of a domestic and religious character are operative even under peace conditions which the social worker depends on to check dissipation and profligacy. On the other hand the draft drew into the mass of the army many sensitive emotional spirits to whom the simple diversions, — the "little things," as Mr. Tannenbaum calls them — afforded by the social program supplied no substitute for the more delicate and creative forms of self-expression which they craved. The probabilities are that neither of these two classes was much affected by such social work as there was. But between these two, there was certainly a large middle class of young men from fair home surroundings who craved not opportunities for self-expression but some substitute, however inadequate, for the simple comforts and diversions which they had left behind. Many of these men, turned loose from the watchful eye of neighbors and presented with exciting opportunities for license, no doubt gave way to the instincts of youth and slipped down to the level of their less carefully nurtured comrades in arms. There can hardly be any doubt of that. But on the other hand there must have been thousands whose inbred instincts and inhibitions were fortified by the supply of normal ways to employ their leisure, by the presence of the normal diversions to which they had been accustomed, athletics, movies, and magazines, and who accordingly were not influenced nearly so strongly by the temptations incident to their new and strange way of life. It was in reaching these men that the social program for the army did its work.

In view of the criticisms of social work in the army from this point of view, it is interesting to turn to criticisms of another sort, based on other grounds and coming from an entirely different source. The following paragraphs are from an article entitled "Mollycoddling the Army," written by a veteran of the

Spanish-American War, and published in the "Infantry Journal." His point of view is as widely removed as possible from that of Mr. Tannenbaum:

"Just at present enough well-meaning and earnest folk to fill about one thousand open-air lecture-grounds are obsessing themselves with the idea that unless the American army is thoroughly mollicoddled the world won't be safer for democracy than a bottle of rum is if found in transit through Idaho; and they are working overtime to turn a perfectly good husky, built and geared for a scrap, into a little Lord Fauntleroy, preparing for an evening's entertainment in the nursery. If all of the misdirected energy that is being wasted on plans to rescue the morals of the young fighter and protect his throat, chest, indigestion, and home-cooking appetite from ruin were devoted to providing the essential things for a real army, the aggregation that followed old man Xerxes over the plains would look like the Salvation Army compared to the Army of Freedom, and the Boche would be sending out distress calls in advance." When the boys marched away to the Spanish War "nobody sent the fellows in motor-cars, nobody came with garlands of flowers and extra blankets and shoes, and advice on the subject of avoiding either the wine or the lips when they are red. It was just a plain *he* aggregation of lads who were ready to shoulder rifles and do a hitch under the flag. . . .

"There was n't a welfare league, a Gospel tent, or a ladies' investigating society for the protection of the young in a thousand miles, but across the road a Dutchman had a joint where a busted phonograph wailed 'Because I love you,' and the waiters made it mostly foam.

"And did these lads pale and die for want of welfare attention?

"Not so you could notice it. They followed the trail of the Star of Empire out to the coast, navigated the Barbary Coast without losing a man or a moral idea, swept through Chinatown in its most hilarious days without a nurse, and then made the

Honolulu shoals, the temptations of Manila, the allurements of Nagasaki, and the native jungles without so much as a dent in the fineness of the fiber of the men who wore the uniform.

"The army is n't now and never was and never will be a breeding-place for physical, moral, or mental evils. Many a man who might take a chance in civil life on improper conduct is ashamed to do it in the light of association with other men who know his every act. The service is a character-builder, not a destroyer of character. It strengthens the weak and it makes the strong stronger. It makes for self-reliance and for honor. It has been the greatest ladder upon which mankind ever climbed from obscurity to fame and honor."⁵⁷

By way of summarizing these two criticisms from opposite angles, it may be said that probably what Mr. Tannebaum desired to see accomplished was humanly impossible of accomplishment; and that where Mr. Fry desired to see nothing at all done, circumstances demanded imperatively that some action be taken. The social program actually attempted fell somewhere between two extremes; it was meant to meet the needs of average men so far as was possible; and it can hardly be doubted that it did meet and satisfy them to a valuable degree.

⁵⁷ George T. Fry, "Mollycoddling the Army," "Infantry Journal," April, 1918; p. 752.

CHAPTER VIII

THE BRAIN OF THE ARMY

I

IN 1901 a volume was published by the War Department entitled "A Legislative History of the General Staff of the United States."¹ On examination it proves to be a compilation of laws relating to ten separate and independent bureaus of the War Department, namely the adjutant-general's department, the inspector-general's department, the judge-advocate general's department, the quartermaster's department, the subsistence department, the medical department, the pay department, the engineers' corps, the ordnance department, and the signal corps. These departments were collectively known as the "general staff," and were so designated in the annual appropriation acts for the support of the army.² Each of the bureaus was directly subject to the authority and supervision of the secretary of war; other coördination there was none between them.

In the second place it will be observed that of these bureaus all performed services of an administrative character. If together they made up in a loose way a kind of general staff, it was a general staff which had nothing to do with problems of purely military policy, but which independently, each bureau in its own way, attended to one or another side of army administration — procurement of supplies, finance, health, alimenta-

¹ Compiled under the direction of Major-General Henry C. Corbin, adjutant-general of the army, by Raphael P. Thian, chief clerk, adjutant-general's office, Government Printing-Office, Washington, 1901.

² See, for instance, the acts of 1894 and 1895, 28 Statutes at Large, 233, 655.

tion, and the like. Military policy, on the other hand, was in theory at least supposed to fall within the jurisdiction of the "commanding general of the army," an officer with vague powers and responsible not to the secretary of war, but directly to the President. The situation was thus summarized by Secretary Root: "Our old plan of army administration was that there should be a general commanding the army in peace as well as war, responsible for the efficiency, discipline, and conduct of the troops, but having no control over finances or the departments of supply and transportation; and that there should be a secretary of war controlling the finances and the money-spending bureaus, but not commanding the army or responsible for the conduct of purely military affairs,"³

→ In short, there was a divided control of the army between a civilian secretary and a military commanding general; and the result was "almost constant discord and a consequent reduction of efficiency."⁴ "Because Congress has always looked to the civilian secretary at the head of the War Department to hold the purse-strings, the laws require all the great departments which build the fortifications and furnish the arms, supplies, and munitions of war and actually expend the money for those purposes . . . to act under the direction of the secretary, and withhold from the officer who is called 'commanding general of the army' all control over those departments. This way of treating the expenditure of money is an expression of the ingrained tendency of the American people to insist upon civilian control of the military arm. . . . One result is that the officer who is called 'commanding general of the army' cannot in time of peace really exercise any substantial power at all unless he acts in conformity to the policy and views of the secretary of war, acting under the direction of the President; that is to say, he cannot exercise any independent command; and this must always be, so long as the secretary

³ Report of secretary of war, 1903, in "Five Years of the War Department," being the annual reports of Secretary Root, 1899-1903, p. 330.

⁴ *Ibid.*

of war performs the duties which are imposed upon him by law and which are essential to the maintenance of civilian control over the military establishment. It was the inability to exercise the power which the title of 'commanding general of the army' appears to carry with it, but which does not really exist, that led General Scott to leave Washington and establish his headquarters in New York, and General Sherman to remove to St. Louis, both of them abandoning the attempt to do anything in connection with the administration of the army in Washington, and this difficulty has been the cause of almost constant conflict and bitter feeling in the administration of the army for the past fifty years to the very great injury of the service and very great loss of efficiency."⁵

The divorce of what staff existed from the military side of the army and its attachment to purely civilian administration resulted in the non-existence in our army of an institution which has come to be the central core of most of the great army organizations in the world — namely a general staff corps whose function is to plan and prepare for the execution of military policy. "In Prussia the term [general staff] has been exclusively applied, since about 1789, to a body of officers to whom, as assistants to the commanding general and his subordinate generals, is confided such work as is directly connected with the designing and execution of military operations. That, in Germany as well as elsewhere, chiefs of special arms, heads of supply departments, judge-advocates, etc., form an important branch of the higher commands, goes without saying, but they are not included in the term 'general staff.' Clausewitz's dictum that the general staff is intended to convert the ideas of the commanding general into orders, not only by communicating them to troops, but rather by working out all matters of detail, and thus relieving the general from a vast amount of unnecessary labor, is not a sufficient definition of general staff duties according to Von Schellendoff (upon this question certainly the better authority), as it fails

⁵ Secretary Root, annual report for 1902, *op. cit.*; p. 298.

to notice the important obligation of the general staff officer of constantly watching over the effectiveness of troops which would be impaired by a lack of attention to their material welfare. Out of this obligation grows, he says, the further duty of furnishing to the heads of the supply departments and other officers attached to headquarters such explanations touching the general military situation, or the effect of a sudden change therein, as will enable them to carry out intelligently what is expected of them. The general staff thus becomes a directing and explaining body. . . . It follows that of the two terms 'staff' and 'general staff,' the Germans regard the former as the more comprehensive one and as embracing the latter. It is conceded on all hands that the almost phenomenal success which has attended the German [Prussian] arms during the last thirty years is due in a large degree to the corps of highly trained general staff officers which the German army possesses." ⁶

The American army at the time of the Spanish War possessed no element remotely corresponding to such a general staff or performing its functions. Those functions, so far as they were regarded at all, fell within the province of the "commanding general." But obviously they were not functions which could be effectively performed by any one man. Commenting on the experience of the Spanish War, Secretary Root wrote :

Our system makes no adequate provision for the directing brain which every army must have to work successfully. Common experience has shown that this cannot be furnished by any single man without assistants, and that it requires a body of officers working together under the direction of a chief and entirely separate and independent from the administrative staff of an army. This body of officers in distinction from the administrative staff, has come to be called a general staff. . . .

The duties of such a body of officers can be illustrated by taking for

⁶ General Theodore Schwan, quoted by Secretary Root in his annual report for 1902, *op. cit.*; p. 293. For an account of the German general staff in the nineties see Spenser Wilkinson, "The Brain of an Army," new edition, Westminster, 1895.

example an invasion of Cuba such as we were all thinking about a few years ago. It is easy for a President, or a general acting under his direction, to order that 50,000 or 100,000 men proceed to Cuba and capture Havana. To make an order which has any reasonable chance of being executed he must do a great deal more than that. He must determine how many men shall be sent and how they shall be divided among the different arms of the service, and how they shall be armed and equipped, and to do that he must get all information possible about the defenses of the place to be captured and the strength and character and armament of the forces to be met. He must determine at what points and by what routes the place shall be approached, and at what points his troops shall land in Cuba; and for this purpose he must be informed about the various harbors of the island and the depth of their channels; what classes of vessels can enter them; what the facilities for landing are; how they are defended; the character of the roads leading from them to the place to be attacked; the character of the intervening country; how far it is healthful or unhealthy; what the climate is liable to be at the season of the proposed movement; the temper and sympathies of the inhabitants; the quantity and kind of supplies that can be obtained from the country; the extent to which transportation can be obtained; and a great variety of other things which will go to determine what will be necessary for the army to carry with it in order to succeed in moving and living and fighting.

All this information it is the business of a general staff to procure and present. It is probable that there would be in such a case a number of alternative plans, each having certain advantages and disadvantages, and these should be worked out, each by itself, with the reasons for and against it, and presented to the President or general for his determination. This the general staff should do. This can not be done in an hour. It requires that the staff should have been at work for a long time collecting the information and arranging it, and getting it in form to present. Then at home, where the preparation for the expedition is to be made, the order must be based upon a knowledge of the men and material available for its execution; how many men there are who can be devoted to that purpose, from what points they are to be drawn, what bodies of troops ought to be left or sent elsewhere, and what bodies may be included in the proposed expedition; whether there are ships enough to transport them; where they are to be obtained; whether they are properly fitted up; what more should be done to them; what are the available stocks of clothing, arms and ammunition and engineers' material, and horses and wagons, and all the innumerable supplies and munitions necessary for a large expedition; how the things are to be supplied which are not

ready but which are necessary, and how long a time will be required to supply them.

All this and much more necessary information it is the business of a general staff to supply. When that has been done, the order is made with all available knowledge of all the circumstances upon which the movement depends for success. It is then the business of a general staff to see that every separate officer upon whose action the success of the movement depends understands his share in it and does not lag behind in the performance of that share; to see that troops and ships and animals and supplies of arms and ammunition and clothing and food, etc., from hundreds of sources, come together at the right times and places. It is a laborious, complicated, and difficult work, which requires a considerable number of men whose special business it is, and who are charged with no other duties.

It was the lack of such a body of men doing that kind of work which led to the confusion attending the Santiago expedition in the summer of 1898. The confusion at Tampa and elsewhere was the necessary result of having a large number of men, each of them doing his own special work as best he could, but without any adequate force of officers engaged in seeing that they pulled together according to detailed plans made beforehand. Such a body of men, doing general staff duty, is just as necessary to prepare an army properly for war in time of peace as it is in time of war. It is not an executive body; it is not an administrative body; it acts only through the authority of others. It makes intelligent command possible by procuring and rearranging information and working out plans in detail, and it makes intelligent and effective execution of commands possible by keeping all the separate agents advised of the part they are to play in the general scheme.⁷

In short the Spanish War demonstrated effectively the need for a general staff, and it showed that need in two directions; in the first place, the need for a central planning body, and in the second place, the need for some central body to supervise and coördinate the operations of otherwise independent army departments. The latter need was especially pressing because of the status of the various bureaus and departments which, as we saw, were called collectively the staff corps. Those organizations were wholly separate and distinct from one another except in so far as all were subject to the common

⁷ Secretary Root in annual report for 1902, *op. cit.*; pp. 293 ff.

authority of the secretary of war. Furthermore, as a group, they were separate and distinct from the rest of the army — "the bureaus forming the whole of the administrative branch of the military establishment being each and all subject to the direction and control of the secretary of war, and not at all, except in certain contingencies, expressly provided for by law, to the army."⁸ This distinctness and independence of the staff bureaus was greatly enhanced by the fact that the appointment of officers to service in them was permanent; and chiefs of bureaus could not be removed from their posts by even the secretary of war.⁹

The permanent tenure of the officers serving with the staff departments was the subject of criticism on two grounds. In the first place it tended to solidify each of those departments into a compact bureaucracy preserving its own unbroken traditions of routine and exaggerating the independence of the bureaus from each other and from the rest of the army. Secondly, it made it impossible for more than a very limited number of officers to acquire any knowledge or experience of the important administrative and supply functions; and those who did acquire such experience acquired it only in the narrow field of the bureau to which they were attached. The bad results of this arrangement became evident during the Spanish War. "Our experience in that war brought the War Department face to face with the fact that few officers of the regular service had knowledge of the problems of subsistence, clothing, equipment, transportation, sanitation, the vast and complicated business of supplying and transporting an army, caring for the health and strength of the men — matters which require previous training and experience. The policy had been followed that the country relied for its main strength upon volunteers who, when called into the service, brought but little of the knowledge and experience necessary to these important func-

⁸ Ingersoll, "History of the War Department"; p. 315.

⁹ Report of chief of staff for 1916, War Department, "Annual Report," 1916; Vol. 1, p. 170.

tions. So, having in view the special duties to be performed by regular officers, not only in connection with their own affairs, but with militia and volunteers, the then secretary of war (Mr. Root) felt very urgently the necessity of substituting a system of details from the line in place of the, at that time, permanent staff and supply departments so as to provide for the training of as many officers as possible in the variety of experience which would fit them for the duties of the staff and the combined service of regulars, militia, and volunteers."¹⁰

A further objection to the system of independent bureaus was the wastefulness implicit in a decentralized system of purchase and supply. Each of the bureaus made its own purchases in the open market, and in the hurry and scarcity which accompany a state of war, this led to competitive bidding among the bureaus against each other, resulting in increased cost to the Government, and to the building up of separate reserve supplies by each which would have been unnecessary had every bureau been able to draw upon a common reserve. This again was clearly shown during the Spanish War. "Once the expenditures of the various departments began, one of the most glaring evils of our supply system was carried to its utmost limit, and the duplication of purchases resulted in an enormous surplus of supplies for which there existed no demand and which were disposed of for a trifle by condemnation shortly after the close of the war. We have no general supply department for the army, and the supplies of the engineer, ordnance, medical, and signal corps are bought by each one independently of the others and of the quartermaster department in spite of the fact that many of the supplies are of the same kind in all the departments."¹¹ This led Secretary Root to say in his annual report for 1901: "I am satisfied that the division of the supply departments into separate bodies acting

¹⁰ Report of chief of staff, War Department, "Annual Report," 1916; Vol. 1, p. 169. See Secretary Root's report for 1900, *op. cit.*; p. 139.

¹¹ Huidekoper, "Military Unpreparedness of the United States"; p. 204.

independently of each other, and each responsible only to a civilian secretary of war, is a bad arrangement, resulting often in confusion, in unnecessary expenditure of money, in increase of paper-work, and making it difficult to fix responsibility. The quartermaster's, commissary, and pay departments should be consolidated under such provisions regarding the present permanent officers in those departments as shall secure them against injustice." ¹²

2

In short, the defects in the central mechanism of army organization, as they stood revealed in the opening years of the twentieth century, may be summarized as follows.

- (1) The absence of connection between the staff bureaus and the army proper.
- (2) The absence of any central agency for the formulation of a general military policy, for working out the details of a military program, and for the accumulation of military information.
- (3) As one of the causes of the foregoing, the permanent assignment of officers to staff duty.
- (4) The lack of coördination between the various staff bureaus.
- (5) As an incident of the foregoing, the wastefulness of a decentralized system of purchase and supply.

The correction of these defects was the object of some of the most important legislation carried through by Mr. Root during his service as secretary of war. Defect No. 2 was sought to be remedied by the act of February 14, 1903, creating a general staff. Defects No. 1 and No. 3 were struck at by the legislation of February 2, 1901, providing for the abolition of permanent appointments to staff duty. Defect No. 5 found a partial and belated remedy in the act of August 24, 1912, consolidating the quartermaster's, commissary, and pay departments. The two statutes first mentioned will be briefly reviewed in the order of their enactment.

¹² Annual report for 1901, *op. cit.*; p. 166.

The act of February 2, 1901, did not disturb the permanent tenure of officers already permanently assigned to duty with staff corps under the old system,—this was felt to be required by justice to the officers so assigned; but the act provided that “when any vacancy in such staff department or corps shall occur which can not be filled by promotion, it shall be filled by detail from the line of the army, and no more permanent appointments shall be made in those departments or corps after the original vacancies created by this act shall have been filled. . . . All officers so detailed shall serve for a period of four years, at the expiration of which time they shall return to duty with the line, and officers below the rank of lieutenant-colonel shall not again be eligible for service in any staff department until they have served two years with the line.”¹³

“The workings of the law have proved satisfactory in every respect,” the chief of staff reported in 1916. One provision, however, contained latent possibilities of inconvenience. This was the requirement that so long as any officers holding permanent appointments remained in service in the staff corps, the chief of the corps must be selected from among them. “As the number of permanent staff officers is steadily decreasing, a condition will soon arise when selections for the position of chief must be made from a small number, and thus limit the range of selection.” This was the more important as “chiefs of bureau can not be removed by the secretary of war, whereas in the interest of efficient military administration they should be as easily removed as is a chief of staff. The association of the permanent officers of the staff corps with the line is, in most cases, limited to inspections, reading of reports, etc., whereas every officer of the permanent staff should be in close touch with the sentiments and needs of the line. There would result better coöperation and increased efficiency.”¹⁴

General Leonard Wood expressed his approval of the work-

¹³ 30 Statutes at Large; p. 748; Section 26.

¹⁴ Report of chief of staff, 1916, War Department, “Annual Report,” 1916; Vol. 1, p. 170.

ings of the Detached Service Act in his report as chief of staff for 1913. He said:

The staff corps are vastly more efficient as a result of the detail for duty therein of officers fresh from duty with troops. In my opinion no legislation of recent years with the possible exception of that establishing the general staff has been of more benefit to the army man than that establishing the detail system. . . . It is true that an officer recently detailed from troops may be somewhat less familiar with the purely clerical features of the paper-work of his department, but his practical knowledge of the needs of troops is so much greater and his appreciation of the conditions under which they are living is so much keener that he is a more efficient officer when measured by the standards which require thorough personal knowledge of what the army is really doing and what it needs. . . . Officers permanently detached from troops eventually lose touch with their needs, and the paper side of the army little by little replaces the soldier to promote whose efficiency the staff corps are maintained.¹⁵

In short, the aim of this legislation was to establish a living connection between the staff and the line through a continuous interchange of personnel between them rather than through the more mechanical device of common supervision. However desirable the latter, it could only be made really effective on the basis of the former.

A beginning toward the coördination of the entire army into a single unit under centralized supervision was made by the passage of the act of February 14, 1903, creating a general staff corps, "to be composed of officers detailed from the army at large under such rules as may be prescribed by the President."

Section 2 provided:

The duties of the general staff corps shall be to prepare plans for the national defense and for the mobilization of the military forces in time of war; to investigate and report upon all questions affecting the efficiency of the army and its state of preparation for military operations; to render professional aid and assistance to the secretary

¹⁵ Report of chief of staff, 1913, War Department, "Annual Report," 1913; Vol. I, p. 152.

of war and to general officers and other superior commanders and to act as their agents in informing and coördinating the action of all the different officers who are subject under the terms of this act to the supervision of the chief of staff; and to perform such other military duties not otherwise assigned by law as may from time to time be prescribed by the President.

Section 3 provided that the general staff corps was to consist of a chief of staff and forty-four officers.¹⁶

All officers detailed in the general staff corps shall be detailed therein for periods of four years unless sooner relieved. While serving in the general staff corps, officers may be temporarily assigned to duty with any branch of the army. Upon being relieved from duty in the general staff corps, officers shall return to the branch of the army in which they hold permanent commission, and no officer shall be eligible to a further detail in the general staff corps until he shall have served two years with the branch of the army in which he is commissioned, except in case of emergency, or in time of war.

Section 4 provided:

The chief of staff under the direction of the President, or of the secretary of war under the direction of the President, shall have supervision of all troops of the line, and of the adjutant-general's, inspector-general's, judge-advocate's, quartermaster's, subsistence, medical, pay, and ordnance department, the corps of engineers, and the signal corps, and shall perform such other military duties not otherwise assigned by law as shall be assigned to him by the President.¹⁷

The second section of the act thus aimed to create in the general staff that central agency for planning and for the accumulation of military information the lack of which had been referred to in Secretary Root's report quoted above. The fourth section of the act was designed to establish the general staff as a coördinating and correlating body between the var-

¹⁶ Increased to forty-five by addition of chief of artillery, *ex officio*, act of February 2, 1907.

¹⁷ 32 Statutes at Large, pp. 83 ff.

ious staff bureaus and between the staff bureaus on one hand and the line of the army on the other. The latter result was to be achieved, however, through "supervision"; in Secretary Root's words, the staff was not to be "an executive body; it is not an administrative body; it acts only through the authority of others. It makes intelligent command possible by procuring and rearranging information, and working out plans in detail; and it makes intelligent and effective execution of commands possible by keeping all the separate agents advised of the part they are to play in the general scheme."¹⁸

The act abolished the position of commanding general of the army, the place of this officer being filled under the new arrangement by the chief of staff. This put an end to the constant friction and ill-feeling which had for years been engendered by the bestowal of the title without the legal or actual power to command. Under the new law, the chief of staff was simply chief military adviser to the President, aided in his deliberations and conclusions by the general staff.

The general staff fell roughly into two parts, the War Department general staff, consisting of staff officers on duty in Washington, and the general staff serving with troops, i. e., staff officers assigned to duty with the commanders of various geographical divisions and departments. The War Department general staff was organized into three sections, the first dealing with problems of general army administration, the second with the collection and distribution of military information, and the third with questions affecting the technical services, military education, and plans of campaign.¹⁹ The second and third sections were consolidated by an order of the chief of staff of June 27, 1908.²⁰ The functions of these sections can be seen from Secretary Taft's review of the work of

¹⁸ Above, p. 252.

¹⁹ Captain Rhodes in his Gold Medal Prize Essay, quoted in Huidekoper, *op. cit.*; p. 294.

²⁰ "Laws, Regulations, Orders, and Memoranda relating to the General Staff Corps," Government Printing-Office, 1912; p. 17.

the War Department general staff during the first year of its existence :

Besides aiding the secretary of war as contemplated by law in the administration of current business, it has made important revisions during the year of existing regulations, orders, and manuals governing the instruction and administration of the army. In consultation with the chiefs of staff bureaus in the War Department, it has completed a revision of the Articles of War to be submitted to Congress for adoption, and of the general regulations of the army. It has revised the drill regulations for infantry, and the orders governing military education in the army and at military colleges, and has now in course of preparation field service regulations for the government of troops in the field, and at peace manœuvres. It has further systematized and developed the military information division, to which has been transferred the War Department library and the distribution of War Department publications. In addition it has made some progress in advance of the establishment of the War College in the important duty imposed by statute on the general staff of preparing plans for the national defense and for the mobilization of the military forces of the country in time of war. The volume of work done has been very great, and substantially all the subjects placed by statute or the regulations of the President have been considered during the year.²¹

The general staff prepared and published during following years numerous compilations of regulations and instructions, manuals, and treatises. By general order of August 15, 1903, the Army War College, for the establishment of which provision had been made two years before, was transferred to the general staff.²² The latter body was also made the channel of communication with military attachés abroad. Two new sections were subsequently added to the general staff—the coast artillery division and the division of militia affairs.²³ The latter organization, to which reference has been made in an earlier chapter, was created as a consequence of the Militia Act of 1908, and was charged with coördinating the National Guard organizations which received Federal aid with the rest

²¹ Report of the secretary of war for 1914, War Department, "Annual Report," 1904; Vol. 1, p. 19.

²² "Laws, Regulations, etc."; p. 4.

²³ *Ibid.*; p. 19.

of the military establishment. The organization of the general staff as described in a memorandum ²⁴ of September 26, 1910, was as follows:

(1) Mobile army division:

All matters pertaining to personnel and material of the mobile forces and such other subjects as are not otherwise assigned.

(2) War College division:

(a) Collection and distribution of military information; War Department library; preparation of non-technical manuals; direction and coördination of military education; plans for field manœuvres; collation and discussion of all obtainable data relating to strategical, tactical, and logistic features of future military operations, and formation of complete working plans for passing from state of peace to state of war.

(b) The Army War College.

(3) Coast artillery division:

All matters pertaining to the personnel and matériel of the coast artillery forces.

(4) Division of militia affairs:

All matters pertaining to the organized militia.

3

From this summary it will be observed that in accordance with the second section of the act of 1903 the general staff had developed into an elaborate agency for the gathering of military information and for the planning of military policy. To what extent was it coördinating the activities of the various branches of the army and thereby remedying the defects of the system of independent bureaus of which Secretary Root had so often spoken and which he had so keenly felt? This question raises at once the further question of the supervisory power of the general staff and of the legal channels open to it

²⁴ *Ibid.*; p. 18.

for exercising that power. The following view of its position is set forth in the army regulations:

“The command of the army of the United States rests with the constitutional commander-in-chief, the President. . . . Under ordinary conditions the administration and control of the army are effected without any second in command. The President’s command is exercised through the secretary of war and the chief of staff. . . . The chief of staff reports to the secretary of war, acts as his military adviser, receives from him the directions and orders given in behalf of the President, and gives effect thereto in the manner hereinafter provided. For purposes of administration, the office of the chief of staff will constitute a supervising military bureau of the War Department. . . . The chief of staff is charged with the duty of supervising, under the direction of the secretary of war, all troops of the line, the adjutant-general’s, inspector-general’s, judge-advocate general’s, quartermaster’s, subsistence, medical, pay, ordnance departments, the corps of engineers, and the signal corps. . . . The supervisory power vested by statute in the chief of staff covers primarily duties pertaining to the command, discipline, training, and recruitment of the army, military operations, distribution of troops, inspections, armament, fortifications, and kindred matters, but includes also, in an advisory capacity, such duties connected with fiscal administration and supply as are committed to him by the secretary of war. In respect to all duties within the scope of his supervisory power, he makes and causes to be made inspections to determine defects which may exist in any matter affecting the efficiency of the army and its state of preparation for war. He keeps the secretary of war constantly informed of defects discovered, and under his direction issues instructions, and exercises all other functions necessary to secure proper harmony and efficiency of action upon the part of those placed under his supervision. All orders and instructions emanating from the War Department and all regulations affecting the army and the status of officers and enlisted men therein are issued by the

secretary of war through the chief of staff, and are communicated to troops and individuals in the military service through the adjutant-general of the army."

What was the nature of the supervisory power of the chief of staff and of his authority to advise the secretary of war? What was the extent of his power to issue regulations, orders, and instructions? This early became a point of difference between the bureaus on one side and the general staff on the other, and it is doubtful whether the question has yet been permanently settled.

Admittedly, the chief of staff had no authority of his own to interfere in any way with the bureaus or issue instructions to them. The general staff was not a "source of command"; it could act only, as Mr. Root put it, through the authority of others. On the other hand the bureaus were admittedly subject to the secretary of war; and the chief of staff was legally required to make reports to the secretary of war and to render professional advice and assistance to him. Was the secretary thereby justified in making the chief of staff the intermediary for his dealings with the bureaus? There is language of Mr. Root's which seems to indicate the opinion that he was; although in such a case the authority exercised by the chief of staff would still be the authority of the secretary. If it might appear, however, that such a procedure amounted to an illegal delegation of power by the secretary, it still seems clear that under the supervisory authority conferred by the act, the chief of staff could investigate any matter pertaining to a bureau and advise the secretary with reference to it; and the secretary was in such a case free to follow the advice of the chief of staff. This in fact seems to have been the intention of Mr. Root, and presumably of Congress, as to the way in which the general staff should function. No illegal delegation of power would be involved, because the secretary would preserve his discretion; there would be no exercise of command by the general staff; the latter body would be acting simply by procuring information and pre-

senting it to the secretary of war. On the other hand, if the secretary was thus free to consult with the chief of staff and receive recommendations from the latter regarding the internal organization and policy of the bureaus, the old-time autonomy and independence of these bodies would virtually be gone. They had always been subject to the control of the secretary; but the latter official, coming from civil life and being more or less unfamiliar with the details of army administration, was entirely dependent upon the chief of a bureau for information and guidance in matters that pertained to it. The injection of a chief of staff into the system altered matters largely; the secretary was provided with an expert adviser whose counsel he might conceivably prefer to that of the bureau chief. Accordingly it was contended by the bureau organizations that the general staff had no legal right to concern itself at all with matters falling within the functions of the bureaus; and that as to such matters the chief of staff had no right even to advise the secretary of war, but that the views of the particular bureau chiefs should govern the secretary so far as he required advice.

As the general staff became a settled institution of army administration and its effectiveness increased, a certain resentment developed on the part of the bureaus toward what was regarded as an invasion of their prerogatives. The bureaus had always jealously guarded their independence, which they looked on as the secret of their effectiveness.²⁵ Their argument was that only by virtue of such independence from the periodical fluctuations in army command could the permanence of policy and the continuity of method be secured which were essential to sound administration. Much of the

²⁵ Before 1903 the bureaus had been suspicious of attempts by the commanding general to bring them under his control. They had then protested strenuously that they were subject only to the secretary of war. (Ingersoll, "History of the War Department"; p. 317.) When for the commanding general there was substituted a chief of staff subordinate to the secretary of war, they insisted on their right to be subject to the secretary directly.

weight of this argument was destroyed by the considerations which led to the abolition of permanent tenure in the bureaus. In fact their isolation and independence tended to develop a routine and a tradition which were anything but conducive to real efficiency. Nevertheless the point of view of the bureaus found strong support in Congress; and the Army Appropriation Act of 1912 contained a provision reducing the number of officers serving with the general staff from forty-six to thirty-six. More deserving of attention is the important provision relating to the general staff which was inserted in the National Defense Act of June 3, 1916. Section 5 of this act provided:

All officers detailed in said corps shall be exclusively employed in the study of military problems, the preparation of plans for the national defense, and the utilization of the military forces in time of war, in investigating and reporting upon the efficiency and state of preparedness of such forces for service in peace or war, or on appropriate general staff duties in connection with troops, including the National Guard, or as military attachés in foreign countries, or on other duties, not of an administrative nature, on which they can be lawfully and properly employed.

The act went on to abolish the mobile army division and coast artillery division of the general staff, the business of the former being transferred to the office of the adjutant-general, "subject to the exercise of the supervising, coördinating, and informing powers conferred upon members of the general staff corps by the act of Congress of February 14, 1903."²⁶

Then ensues the following restrictive language:

Provided further, that hereafter members of the general staff corps shall be confined strictly to the discharge of the duties of the general nature of those specified for them in this section and in the organic act of Congress last hereinbefore cited, and they shall not

²⁶ By Section 81 of the act, the militia division was made an independent bureau of the War Department under the immediate supervision of the secretary of war, but the chief of the militia bureau was to be *ex officio* a member of the general staff.

be permitted to assume or engage in work of an administrative nature that pertains to established bureaus or offices of the War Department, or that, being assumed or engaged in by members of the general staff corps, would involve impairment of the responsibility or initiative of such bureaus or offices, or would cause injurious or unnecessary duplication of or delay in the work thereof.

What was the effect of this language? Did it deprive the general staff of that power of supervision over the administrative bureaus which had been conferred by the organic act of 1903? Did it deprive the chief of staff of his power to advise the secretary of war in matters relating to these bureaus? Or did it merely prohibit the general staff from actually engaging in administrative work and thereby duplicating work which was already being performed by the bureaus? The question was doubtful, and gave rise to a difference of opinion.

Secretary Baker called for an interpretation of the enactment from General Crowder as judge-advocate general, and the latter rendered an opinion interpreting the statute from the point of view of the bureaus. This opinion is worth study, as it is a very clear exposition of that attitude.²⁷ "This statute," wrote General Crowder, "gives clearest evidence of the conviction of Congress that the general staff has heretofore been employed not altogether on its own proper duties, but has been diverted from them, leaving them to some extent unperformed, and has invaded and interfered with the long-established jurisdiction of the several bureaus of the department, to the consequent impairment of such bureau administration and to the detriment of general military efficiency. The primary purpose of the legislation was clearly to correct what was deemed to be a departure from established organic functions, to reestablish such functions, and to prevent future encroachments." Under the terms of the enactment under consideration, "the general staff must not perform administrative duties. . . . Those duties which by law, regulation, and established custom, are, or heretofore were, habitually per-

²⁷ Printed as appendix to report of secretary of war, War Department, "Annual Report," 1916; Vol. 1, pp. 80-89.

formed in the several bureaus or offices of the department commonly known as administrative bureaus or offices . . . may not be performed or interfered with by the general staff. . . . Duties performed by the general staff of whatever nature must be general in character. So the statute expressly provides. If the matter be of special rather than of general interest and concern; if it be limited rather than general in its effect; if it be a matter falling within and confined to the special jurisdiction of a bureau and not reaching directly other bureaus or the army as a whole; if it be routine rather than of far-reaching consequence and importance; if it deal with details and specifics rather than with generalities, with particular performance rather than general policy, then it is entirely clear that it is not a subject for general staff consideration and functions."

Issue may be taken with General Crowder on a number of points in his interpretation. In the first place, he takes "performance" as including "interference," and "function" as including "consideration." What the act forbade was "performance" by the general staff of work pertaining to the administrative bureaus — "they shall not be permitted to assume or engage in work of an administrative nature that pertains to established bureaus." This is not a prohibition against "consideration" of such work or "interference" with it in the exercise of the general staff's power of supervision. This power of supervision, conferred by the act of 1903, was expressly incorporated by reference in that clause of the National Defense Act which transferred the mobile army division of the general staff to the adjutant-general's office. Secondly, General Crowder's distinction between "general" duties and "special" duties is either not helpful, or else misleading. If he meant to establish a hard and fast line between them, so that some duties would fall always into one class, and the rest into the other, it is misleading. If the army be viewed as an organic unit there is no duty performed anywhere by any of its parts which may not at certain times or under certain

conditions become of importance to the whole. The routine system of paper-work followed by a particular bureau may appear to have no possible relation outside that bureau; yet if it be antiquated and clumsy it may under certain circumstances impair the efficiency of the whole army. If a recognition of this is implied in General Crowder's statement, then the distinction which he draws is not helpful. If the general staff has power to make recommendations regarding any administrative work whatever when that work becomes of importance to the whole army, it must judge as to whether the work has that required character of importance or not.

In fact, however, General Crowder seems to mean that there is a hard and fast line between "general" and "special" duties. "General policy," he elsewhere says, "cannot be concerned with mere administrative methods."²⁸ This statement is subject to emphatic dissent by virtue of just such an instance as that suggested in the last paragraph. The entire success of a campaign may depend upon the method of purchase or of transportation followed by a supply bureau; yet these are matters of "mere administrative method." "General policy" is built up out of "specific details," and nothing else.

The sum and substance of General Crowder's opinion was that the new enactment limited the advisory and supervisory powers of the chief of staff to such matters as did not fall within the jurisdiction of any of the administrative bureaus. "The general staff relation of rendering professional aid to the secretary of war and superior military commanders, and of acting as their agents in supervising, coördinating, and informing the action of the different officers subject to the supervision of the general staff, becomes limited, if not by the original act, certainly by the express requirement of the recent statute, to matters of a non-administrative character, not pertaining to a particular bureau, and involving only general policy."²⁹ In questions touching any function of a bureau the

²⁸ *Ibid.*; p. 86.

²⁹ *Ibid.*; p. 85.

chief of staff had not even a right to advise the secretary of war. "In all matters falling within the special jurisdiction of the several bureaus, Congress has said in effect that the views of the particular bureau chiefs shall govern the secretary so far as his own judgment is to be advised; and if the secretary of war respects not the advice of his lawful advisers, but submits it to extra-legal review, he to that extent dispenses with the statute, and the lawful medium of control, and moreover destroys the distribution of departmental organic powers ordained by law."³⁰

The effect of this opinion would have been to make impossible any coördination of administrative functions by the general staff; for coördination requires some interference with the details to be coördinated.

General Crowder's opinion seems to have been based rather on what he thought was in the mind of Congress in enacting the statute than on the express provisions of the statute itself. This was pointed out in Secretary Baker's own authoritative interpretation, which served as a basis for the War Department's policy.³¹ Mr. Baker began by pointing out that "the section under review does not negative the survival of the supervisory, coördinating, and informing powers conferred by law upon the members of the general staff corps, but on the contrary reiterates those powers." He then reviewed the recommendations of Secretary Root which had led to the establishment of the general staff, and sought to discover by their light the position and functions which the chief of staff was meant to occupy under the legislation of 1903. He summarized his conclusions as follows:

I think nothing can be clearer from the written opinion of the secretary of war whose suggestions are responsible for the creation of the general staff, and from the hearings before the committees of Congress and the debates in Congress upon the passage of the General Staff Bill, than that it was intended to supply to the secretary of war a lawfully authorized military adviser to whom all other heads of depart-

³⁰ *Ibid.*; p. 84.

³¹ *Ibid.*; pp. 70-80.

ments and bureaus should report, and through whom the secretary of war should be constantly kept advised and informed; that it should be the duty of this officer, aided by the general staff corps, so to advise himself of all operations of the military departments and bureaus of the War Department as to inform the judgment of the secretary upon any question submitted for his decision, and by correlating, coordinating, and supervising the judgments of the various heads of bureaus and sub-departments to be able to prevent a civilian secretary of war from inadvertent error, due either to a lack of familiarity with military matters or to the vast pressure of business of many and diverse characters which too far absorb the time of the secretary of war to permit him personally to undertake the detailed study necessary in each case.

The question was whether Congress meant to overturn this whole policy when it provided that general staff officers should not be permitted to engage in administrative work pertaining to the established bureaus.

At the outset it would seem obvious that no such glancing blow as this could have been intended as an implied repeal of the whole fundamental theory of the reorganization act whereby the general staff was created. . . . It must not be forgotten that the army is a whole—divided for purposes of administration into many parts, but each action by any of the parts must be consistent with the healthy action of the whole. A realization of this was the moving cause to the creation of the general staff; and if the Congress had come to believe that its effort to correct the evils sought to be redressed by the creation of the general staff was a failure, and that no such supervision and coordination as was then aimed at had resulted from the general staff when created, and so believing had desired to abandon the experiment, it would not have been done by this tentative, obscure, and admonitory sentence.

The whole question reduced itself to one of what was meant by the words "administrative duties."

Now the plain, ordinary, and popular meaning of this term in this context obviously is that the chief of the general staff corps shall not administer the offices of the bureau chiefs. That is to say, that the chief of staff shall give no order to a subordinate of the chief of ordnance or the adjutant-general, for that would be the administration of that department and such administration must proceed from the head of the department. Indeed it seems to me entirely likely that the

statute under examination provides its own definition of the meaning of the word "administrative," for it says that these administrative duties are those which pertain "to established bureaus or offices of the War Department." Those words enumerate the kind of acts which the original law creating the general staff did not intend to assign to the general staff. Secretary Root said the duties proposed for that body are not administrative, are not executive, but are correlating, informing, supervising. So that we have in this latest legislative expression a reiteration of the intentions of the Congress in the earlier act as defined and explained by the authority of the act and the policy which it embodied. . . . The policy of the War Department, therefore, will remain as heretofore; the chief of staff, speaking in the name of the secretary of war, will coördinate and supervise the various bureaus, offices, and departments of the War Department; he will inform himself in as great detail as in his judgment seems necessary to qualify him adequately to advise the secretary of war.

It is possible that Congress in enacting Section 5 of the National Defense Act may have intended to achieve the result which would have followed from General Crowder's interpretation of that enactment; but it seems equally clear that the express words of the enactment do not require and will not even bear that interpretation. The section was a piece of slipshod legislation whereby the legislative body passed on to the executive the responsibility of interpreting a carelessly drawn statute. Whether or not the purpose of the enactment was to seem to satisfy certain interests in such a way as to permit the executive authorities to defeat the ends which those interests had in view, it seems certain that no violence was done to the statute by Secretary Baker's interpretation of it. Any other interpretation would have been most unfortunate, for it would have made definitely impossible the great part which the general staff was to play in improving army administration during the war.³²

4

The National Defense Act increased the general staff corps to a maximum of fifty-five officers, this maximum to be reached,

³² For an interesting discussion by General Hugh Scott of the history of the general staff, and the function which it should perform in our army administration, see report of chief of staff for 1917, War Department, "Annual Report," 1917; Vol. I, pp. 129-135.

however, only in five annual increments, ending in 1920. It was at the same time provided that not more than one-half of the corps should be assigned to duty in the District of Columbia. Accordingly when war was declared on April 6, 1917, the general staff had an authorized strength of forty-one officers, and consisted of nineteen officers stationed in Washington and twenty-two stationed elsewhere. The Army Appropriations Act, passed May 12, 1917,^{32a} increased the general staff to ninety-one and removed for the period of the emergency the restriction on the number of officers who might be stationed in Washington. Finally, the Selective Service Act of May 18 of the same year by its provision authorizing the President to provide all necessary officers for the line and staff removed legislative restriction as to the strength of the general staff. At the date of the signing of the armistice 1072 officers were on duty with the War Department general staff.

It is interesting to note that when the war began in Europe the respective strengths of the general staffs of Germany, France, and England were 650, 644, and 232.³³

The expansion of the general staff during the war took place by a series of reorganizations. The National Defense Act, by removing from the general staff the coast artillery division and the division of militia affairs, and by abolishing the mobile army division, had left nothing of the former organization but the War College division. Before the passage of the act, this division had functioned through a number of committees—a committee on military preparation and policy, another on war plans, a third on organization, equipment, and training, and so on. The provision of the National Defense Act which restricted the number of general staff officers who might be stationed in Washington to one-half the authorized strength of the corps so reduced the personnel of the War College division that no definite organization was thereafter possible. When the Act of May 12, 1917, raised the strength of the general staff to

^{32a} 40 Statutes at Large; p. 46.

³³ Report of chief of staff, 1919, War Department, "Annual Report," 1919; Vol. I, p. 249.

ninety-one officers, fifty of these were assigned to duty with the War College division, and the following standing committees were set up: (1) recruitment and organization; (2) military operations; (3) equipment; (4) training; (5) legislation and regulation; (6) military intelligence. These committees formed the nuclei of subsequent larger organizations.³⁴

The first general reorganization of the general staff was announced on February 9, 1918, in accordance with General Order No. 14.³⁵ By this order the corps was organized into five divisions:

- I. Executive.
- II. War plans.
- III. Purchase and supply.
- IV. Storage and traffic.
- V. Military intelligence.

Subsequent reorganizations took place from time to time, culminating finally in General Order No. 80 of August 26, 1918, which remained in effect to the end of the war. This order provided for four main subdivisions of the general staff:

- I. Operations.
- II. War plans.
- III. Purchase, storage, and traffic.
- IV. Military intelligence.

The functions belonging to the first, second, and fourth of those divisions fell mainly within the field of collecting information and formulating policy which have by all parties been admitted to belong properly to the general staff. On the other hand, the duties of the purchase, storage, and traffic division lay in the debatable field of coördination and supervision; and it is in connection with it that the significance of Secretary Baker's interpretation of the fifth section of the National Defense Act will be observed. The activities of the other divisions will first be briefly sketched.

The most important work of the war plans division was that

³⁴ War Department, "Annual Report," 1919; Vol. 1, p. 292.

³⁵ *Ibid.*; p. 249.

of its organization section and its training section. The former was charged with the formulation of organization policy and prepared the organization tables for all the branches of the army. The training branch grew out of a committee formed at the beginning of the war to coördinate the theoretical and practical sides of army instruction and to deal with plans and policies of technical military training. The work of this branch or section illustrates so well the need for a body charged with the study and development of plans and at the same time shows so clearly the relations between such a body and the men who actually administer the policy adopted, that its work may profitably be examined in some detail. The duties of the training committee, which grew into the training branch, were authoritatively defined as follows:

- (a) To study the methods of the war and the latest methods of military instruction as learned from them through information sent from the front by the staff of General Pershing and the Allies.
- (b) To see that the execution of those methods in the camps and cantonments conformed to the policy laid down in the orders of the chief of staff.
- (c) To improve the methods of instruction in the camps by direct and frequent contact with the camp instructors.

To accomplish these results the committee was authorized to perform the following functions:

1. Maintenance of close relations with the expeditionary force abroad and with troops undergoing training in the United States.
2. Supervision of the central schools, such as the school of fire, the infantry school of arms, and divisional schools for officers, candidates, and enlisted men.
3. The assignment and supervision of, and coöperation with, foreign officers on training duty.
4. Preparation of programs of instruction.

For the performance of these functions liaison officers were appointed to visit the points where instruction was being given,

including the camps, cantonments, and central schools. These visits were not for the purpose of criticism, but for consultation with the commanding officers and instructors and for observation of the practical workings of prescribed programs. To keep the training branch in touch with developments in Europe, the commanding general of the American Expeditionary Force was instructed to forward all programs, schedules, and plans bearing on the training of troops; and senior officers returning from duty with troops were directed to report to the chief of the War College division for personal conference with the training committee concerning existing conditions. The need for such a medium as this committee supplied between the fighting front and the centers of training in the United States was made imperative by the revolutionary changes which the war had brought about in fighting methods.

Trench warfare had demonstrated the necessity of standardizing and making uniform the methods of instruction and of perfecting them by constant exchange of information between the front and the rear. It was necessary that every lesson learned and every method found successful in the war should be utilized in our schools and camps of instruction. With the view of standardizing and maintaining their training at the highest efficiency, it was decided that our divisions would be required to follow programs established by the training committee when these were approved by the chief of staff. . . . Among some of the more important programs issued were:

- (a) Programs covering sixteen weeks' courses of training for infantry, field artillery and machine-guns, which were issued on August 27, 1917, for initial training of the divisions.
- (b) Regulations and programs for the officer's training-camps, depot brigades, and replacement centers.
- (c) A course of training for divisions which had completed the preliminary and basic course of training, issued May 6, 1918.
- (d) Various revisions from time to time of the foregoing programs.³⁶

This summary illustrates how impossible it is to keep separate the functions of study, observation, and the formulation of a program on the one side and on the other the functions of

³⁶ Report of chief of staff, War Department, "Annual Report," 1919; Vol. 1, pp. 294-298.

supervision, application, and execution. Policies and programs are not things apart but are woven into the texture of action.

Within the training branch of the war plans division there was organized ³⁷ a "committee on education and special training" to study the needs of the army for skilled specialists and technicians, and to secure the coöperation of the colleges and other educational institutions of the country toward meeting such needs. This committee developed the policy embodied in the students' army training corps, to which reference has already been made. The membership of the committee largely consisted of men connected in civil life with prominent educational institutions; and it was kept in touch with the needs of the various staff and technical corps through the medium of liaison officers. It thus affords another instance of the function of a general staff in supplying a link between two agencies which require to be connected. And the quality of its membership exemplifies again the War Department's policy, so well illustrated in the description of the draft administration, given in an earlier chapter, of calling in from civil life persons whose experience and connections peculiarly fitted them for the work in hand.

In addition to the organization section and the training section, the war plans division included a "national defense projects" section charged with the preparation of general war plans, and an inventions section which "investigated thousands of inventions, suggestions, and devices submitted to the War Department, thus relieving other agencies of this work, expediting consideration of valuable inventions, and rejecting those without value."

The next great division of the general staff, the military intelligence division, was organized into a positive branch, a negative branch, and a geographic branch. At the time of the armistice the military intelligence division included 292 officers, twenty-nine non-commissioned officers, and 948 civilian employees.

³⁷ On February 10, 1918. See *ibid.*, pp. 320 ff.

The work of the geographic branch was to build up a collection of maps and charts and to compile route-books and guide-books to various foreign countries. The section furnished numerous maps to our forces in France, Russia, and Siberia. Its later productions consist entirely of handbooks on Mexico.³⁸

The positive branch was charged with collecting, classifying, and making available to the proper officer any current military information which had not yet found its way into books and libraries. This branch was also charged with the compilation and study of codes and ciphers, with all the translating work of the War Department, and with the administration of our system of military attachés.

The most interesting work of the military intelligence division was that performed by the negative branch. This branch collected, sifted, and conveyed to the proper authorities information likely to be useful in preventing activities which would impair military efficiency. It studied the conduct of aliens, pacifists, and suspects, investigated the character of persons applying for positions in the army, performed certain censorship work, and passed upon applications for passports.

The operations division of the general staff supervised the recruitment and mobilization of the army. This was the agency which determined when and how many draft registrants should be called, the camps to which the men should be sent, the organizations to which they should be assigned, the priority in which organizations should be sent overseas, and the times when they should be moved from their camps. In addition supervision over all questions of camp sites and construction was assigned to the equipment branch of this division. The same branch also had authority to approve types of design for equipment, the research connected with it, and the basic allowance of all articles for the different army units. "This included investigation of new types of equipment, such as trench-mortars, trench-knives, harness, the new field-shoes, the new method of fitting shoes, fire-control equipment, the standard-

³⁸ *Ibid*; p. 331.

ization of motor-vehicles, and the changes which were made in uniforms in order to assist procurement." Further, it prepared the tables of equipment allowances for use in training in this country, and amounts to be transported overseas, as well as the artillery procurement programs for the ordnance department.

After April, 1918, the equipment branch was charged particularly with the solution of the question of priority of equipment in connection with the rapid movement of divisions to France. . . . It had long been a standard rule for military operations that troops should be embarked on shipboard as organizations, carrying with them their full equipment together with supplies for a certain period of time, depending upon the conditions existing; furthermore, that the equipment and supplies should be loaded in such a manner that those needed first on disembarkation would be the first to be unloaded. In this way an expedition can be transported to a hostile shore, and on effecting a landing, the organization is complete, both in personnel and equipment, and able to undertake at once operations against the enemy. In our first movements of troops to France, endeavor was made to follow the same principle, but it was soon found impossible to adhere to it nor was there the same necessity that exists when landing in a hostile territory. The principal difficulty confronting our expedition was not that of landing on the other side, which would have been the case had the landing been opposed, but was the lack of shipping to transport troops and supplies which were necessary for the operations in France. This made it necessary to take advantage of every ton of shipping. Transporting organizations as complete units, and with their full equipment and supplies, is very wasteful of tonnage space. Further, ships of all types had to be pressed into service, some passenger ships which had no place available for the carrying of supplies and equipment, some cargo ships which were unable to take personnel. . . . This necessitated the adoption of a policy of entirely separating the baggage from the troops. The personnel was sent with the equipment they carried on their persons or could store in the ship's hold, the latter being limited to organizational records, bedding rolls, etc. The remainder of the equipment was sent on a separate cargo vessel, and on arrival in France no effort was made to supply that particular equipment to the organization which had used it in the United States. Instead, it was all pooled, and issues were made from the pool to organizations as they needed supplies. So far as the shipments were concerned, this worked well, but it was later decided that additional tonnage could be saved, and also railroad transportation in this country, by

sending across only new equipment direct from the factories. When a division was ordered from its training-camp for oversea duty, it then left the equipment which had been used (except that carried on the person) in the camp to be assigned to the new organization to be formed there. Upon its arrival in France it received a complete outfit of new equipment which had been sent over in bulk for that purpose. In this way, the equipment lasted longer after reaching France, and therefore did not require replenishing so frequently, and the amount of railroad shipments in the United States was reduced. In this way the capacity of every ship was utilized to full advantage.³⁹

This matter of shipments of equipment has been gone into at this length because it shows how what may seem on the surface to be a thing of slight importance may well become by its ramifications a matter of foremost consequence. It thus serves to show how little value there is in an attempt like that of General Crowder discussed above, to distinguish between "general policy" and "specific details." It brings out, furthermore, the usefulness of a body like the general staff charged with studying details in their relation to the whole, and the wisdom of empowering such a body to modify the management of details in the interest of wider efficiency.

5

The most interesting development in the general staff organization during the war, and the one which gave rise to the most controversy and discussion, was that connected with the formation and development of the purchase, storage, and traffic division. Here the general staff was boldly entering, and on an immense scale, upon that debated ground of coördination and supervision of the supply bureaus where its authority had been questioned in time of peace before any considerable step had been taken toward exercising that authority.

When the United States entered the war, the system of separate and independent supply bureaus was still flourishing. Something had been done toward securing unity by the consolidation in 1912 of the quartermaster, pay, and subsistence departments. Secretary Baker's interpretation of Section 5 of

³⁹ *Ibid.*; p. 272.

the National Defense Act had been intended to pave the way toward doing more when the necessity for it became imperative. But to all intents and purposes the supply bureaus in 1917 were enjoying their traditional autonomy as fully as during the Spanish War.

The result, when the system was subjected to the sudden strain of the emergency, was what might have been anticipated. In the words of General March:

Under the system of separate and independent bureaus, as organized when we entered the war, a condition of affairs eventually and inevitably developed which threatened the very success of any military program. Each bureau, absorbed in the tremendous expansion of its personnel, and in its problems of supply, naturally concentrated every effort upon the development of a program which would meet every possible requirement that might be imposed upon that particular bureau, without reference, in general, to the requirements either of other bureaus or services or of the army program as a whole. With this independent and uncorrelated action of the different bureaus, the defects of the existing bureau system soon became manifest. There developed a competition for manufactured articles and for raw materials and for labor which resulted in high prices and in an inefficient distribution of labor, involving a scarcity in some localities and actual unemployment in others; similarly there resulted a congestion in the placing of contracts and the location of new manufacturing plants in many localities, irrespective of the labor, fuel, power, and transportation available. Plants and real estate were commandeered and purchased by individual bureaus without consideration of the effect upon the requirements of other bureaus, and no standardized contract procedure obtained to protect either the manufacturers and owners or the United States. The total lack of standardized specifications resulted in a delay in manufacture, a lack of interchangeability, and increased cost. Nine independent and different systems for estimating requirements were in operation, with a consequent lack of balance in the military program and inefficient utilization of the available manufacturing plants. There were five different sources of supplies for organizations to be equipped and five different and complicated systems of property accountability for the officers charged with equipping these organizations. There were ten different agencies for handling money accounts in the War Department and at least five different systems of fiscal accounts with no adequate supervision of expenditures.⁴⁰

⁴⁰ *Ibid.*; p. 245.

The same story is told with added emphasis in another part of the same report:

The war began with the supply system of the army organized on the bureau plan, the bureaus being five separate purchasing agencies,⁴¹ with separate systems of finance, storage, and distribution, each feeling itself largely independent within its own sphere of action, and accustomed by long habit and tradition to perform its various functions without reference to the activities of the others or of other departments of the Government. Accordingly, when the army went into the nation's markets to buy the vast body of supplies needed for the war, it went not as a single agency, seeing the problems of supply as a whole, but as five separate bureaus competing with each other as well as with the other great agencies of the Government and of the Allies for manufactured articles, raw materials, industrial facilities, labor, fuel, power, and transportation. Some of the disastrous effects of such a system of competitive purchasing by numerous government agencies are apparent on the surface. In the case of purchases within a given industry it has been generally recognized that large-scale purchases by the Government might completely disorganize the industry through absurdly high prices both to the Government and to civilians, and might at the same time fail to call forth in full measure the capacity of the country for the production of the particular article. It has been a matter of knowledge, also, that the process of placing orders for finished articles by bureaus and departments of the Government acting without a common plan tended to stimulate a scramble for raw materials which is equally disorganizing. . . . The responsibility which rested upon each bureau and upon numerous divisions and subdivisions of the bureaus was to procure and deliver in France the particular supplies, materials, or munitions with which it was individually charged. In discharging this obligation each of these numerous agencies played a lone hand. Each naturally wished to show a record of large achievement in getting to France the particular things for which it was eventually responsible. It was not an accepted principle early in the war as it came to be later that to preëempt tonnage space for shipments in excess of actual current needs was, if anything, a greater offense than a failure to provide supplies according to schedule. The carrying capacity of the available ocean tonnage was at all times the neck of the bottle of supply. The system of individual procurement by bureaus ignored this fundamental fact, and the natural result was

⁴¹ Quartermaster corps, ordnance department, medical department, signal corps, corps of engineers.

congestion at the ports. This port congestion rapidly developed into a general congestion of railroad facilities, including very serious difficulties in the movement of fuel needed by war industries. An important contributing cause of the fuel shortage was the concentration of contracts in congested districts already referred to as a product of the bureau system of procurement. Moreover in the carrying out of war contracts placed in the same particularistic way, new manufacturing facilities were frequently created or planned in congested areas which called for raw materials, transportation, and labor where at the same time elsewhere in the country adequate and unused facilities already existed. The outcome of all these difficulties was inevitably such a slowing down in the output of war supplies as resulted, in the worst days of the winter of 1917-18, in conditions approaching partial paralysis of the war machine.⁴²

To add to the confusion, the various army bureaus were not the only purchasing agencies in the market for war supplies. There were in addition the navy, the Emergency Fleet Corporation, and the various purchasing commissions of the allied governments which had filled up many mills and factories with contracts prior to our entrance into the war. In the competitive race between all these agencies plant capacity had often been appropriated to some purpose which in the scale of military importance was less urgent than some other purpose which was thereby deferred to second place. There occurs to the writer's personal recollection a case where a plant manufacturing canvas urgently needed by the quartermaster's department for tents had been commandeered by the medical department to supply canvas for stretchers. The output of the steel mills was being absorbed by the agencies which had got first into the field rather than by those whose needs were greatest.⁴³ There was also an

⁴² *Ibid.*; pp. 341 ff.

⁴³ Another illustration is afforded by the following testimony of Major-General Burr: "At the outbreak of the war I was in command of the Rock Island arsenal. A day or two before war was declared I received an order to buy all the necessary equipment for 200 regiments. In doing so, I had a great deal of leather equipment to purchase, and it occurred to me that there was a shortage of leather in the country. As a matter of fact I knew it from the people I was in touch with, and I secured authority to go ahead

abuse of the priority privilege given to government shipments over the railways. It was authoritatively stated that on some lines 90 per cent. of the freight shipments carried the blue tag entitling the shipment to government priority, and an instance was given of a quartermaster at an army-post in Wyoming who secured priority for a shipment of coal from Pennsylvania although there were coal fields in his own State which might have supplied him.⁴⁴

Some effort had been made at the outset to guard against these developments through the establishment of a number of committees connected with the Council of National Defense. The committee on supplies of the latter body, which came into existence on February 12, 1917, was organized to coöperate in an advisory capacity with the purchasing departments of the War and Navy Departments in securing requirements of clothing, equipment, and subsistence. In its composition the regular principle was followed of selecting men in close touch with the particular industries concerned, who were informed as to the conditions which would be encountered in the course of government purchasing. The committee advised the bureaus as to the business concerns which had the best facilities for filling and buy a lot of leather that would take care of my requirements. I spent two, three, four million dollars for leather and I got practically all the equipment leather in the country. Within a couple of weeks other departments were asking me if I would not release leather to them. I had it all. Well, that was wrong, you know, but I went on the proposition that it was up to me to look after my particular job, and I proceeded to do so. My department did not have any trouble in getting leather for many months to come, because I had it all. The medical department and one or two of the other departments which required leather for certain of their equipment—very necessary equipment—had gone into the market a few days later and could not get any suitable leather." Testimony before the subcommittee of the Senate Committee on Military Affairs, August 19, 1919; "Hearings on Senate Bills 2691, 2693, and 2715," Sixty-Sixth Congress, first session; Part 4, p. 221. Washington, Government Printing-Office, 1919.

⁴⁴ Senator Wadsworth's speech of February 5, 1918, "Congressional Record," Sixty-Fifth Congress, second session; p. 1693.

their orders, and endeavored also to coördinate the procuring activities of the various bureaus and departments. The purchases with which the committee was concerned totaled nearly a billion dollars. Similar services in connection with some of the more important raw materials were performed by a committee on raw materials. The urgent need for coördinating purchases led to the formation of the General Munitions Board, which was meant to be a great clearance committee consisting of representatives of all the procuring agencies where they could meet daily and arrange their requirements in the order of importance. These three organizations ultimately merged in the War Industries Board.

The great difficulty, however, with those organizations as a means of securing coördination was that they were without legal position or power. The most that the War Industries Board could do was to advise the procurement agencies as to where and at what price to buy; there was no compulsion upon those officers to take the advice, and they often went ahead and followed their own course without so much as informing the War Industries Board of their action. A further difficulty was that it was virtually hopeless to attempt to coördinate army purchases with the purchases of other governmental agencies when army purchases were not coördinated among themselves. This came out strikingly in connection with the matter of requirements. In order to plan ahead and arrange the procurement activities of different arms so that they would not conflict with each other, it was necessary to have some idea of what supplies would be needed and in what amounts. Each of the army bureaus had, however, its own system of calculating requirements or no system at all. Where a system existed, the units of measurement were different from those in use in the other bureaus, and a combined conspectus was impossible.

The paralysis which resulted from this confusion in the machinery of procurement became notorious toward the end of 1917 and culminated in an investigation of the conduct of the war by the Senate Committee on Military Affairs, which held

a series of hearings that lasted from December 12, 1917, to the end of March, 1918. As a result of this action, a policy of radical reorganization was undertaken in the War Department, which was still going on at the date of the armistice. On February 5, 1918, Senator Wadsworth of New York, who was a member of the committee, made a speech in the Senate which is an admirable summary of the results of the hearings. He began by giving credit to the War Department for three very great achievements, the operation of the selective draft, the mobilization and transportation of troops, and the feeding of the army. It was on the procurement side that the department had failed. "The committee commenced its labors by an inquiry into the management and operations of the supply bureaus of the War Department. . . . As we proceeded, we found that these bureaus were handicapped very seriously by a condition which springs from years of routine operation, regulated and checked, down to the last crossing of a 't' and dotting of an 'i,' which condition is popularly described as due to 'red tape.' The military channels through which a matter must proceed are so long and so tortuous that exceedingly grave delays have occurred. Some of the incidents might be regarded as uproariously funny were the situation less serious. . . . The organization of the War Department when we went into the war, and as it continued to operate through the summer and autumn, resulted in the supply bureaus, headed respectively by the quartermaster general, the chief of ordnance, the chief signal officer, the chief of engineers, and the medical department reporting direct to the secretary of war and not through the general staff. It was possible, therefore, for the five different supply bureaus in the War Department to report over the head of the chief of staff and go direct to the secretary of war and if possible persuade him to do what any one of those individuals thought ought to be done." The great need was for centralization to secure unity and harmony of action. "We had before that committee the chairman of the war committee of the Chamber of Commerce of the United States, Mr. Catchings. Mr.

Catchings has been the first assistant to Mr. Stettinius during the time that Mr. Stettinius was managing the purchases for Great Britain. They purchased something like \$3,000,000,000 worth of goods in this country for Great Britain. They did it under a centralized authority. They made a tremendous success of it. It is astounding to hear him say how simple it all was when properly organized. For six or seven months Mr. Catchings and his committee have been endeavoring to persuade the officials here in Washington that something must be done to centralize control and authority." Mr. Baruch and Mr. Howard Coffin recommended the same thing.

Senator Wadsworth felt that one of the chief difficulties was that procurement was not properly a military function at all and could not be competently performed by military men. It was a task for business men. "As we proceeded, those of us who attended the hearings every day, and listened to all the testimony, became deeply impressed with the conviction that purchase and initial distribution of this vast amount of supplies must be essentially an industrial operation, and that military men, no matter how distinguished and capable in their profession, are, with very rare exceptions, inexperienced in such matters, and therefore incapable of bringing about the best results in the shortest possible time." Further, the mere coördination of army purchases would not go the whole way necessary; what was needed was a consolidation of all the procurement activities of the Government, including the navy, the Emergency Fleet Corporation, and the Allied purchasing commissions.⁴⁵

Accordingly what Senator Wadsworth advocated was a ministry of munitions along the lines which had been followed in England. A bill embodying this proposal was introduced in the Senate on January 4, 1918, by Senator Calder of New York.^{45a} The new ministry was to take over the responsibility of supplying the requirements of the army, navy, Emergency Fleet Corporation, and the Allies, and was to be

⁴⁵ For Senator Wadsworth's speech, see "Congressional Record," Sixty-Fifth Congress, second session; pp. 1687-1694.

^{45a} *Ibid*; p. 558.

headed by some civilian business man of high standing. Another proposal was for the formation of a small war cabinet to exercise centralized authority over the various procurement agencies. Both proposals were combatted vigorously, and in retrospect it would seem wisely, by the War Department on the ground that reforms so radical and on such a large scale would throw into confusion everything that had been done and cause a fatal loss of time; that it was better to disturb as little as possible the existing agencies which were in the midst of their work, but that measures should at once be taken to coördinate and correlate them. To avoid being reformed from without, the War Department therefore set hastily about reforming itself from within. The first steps in the reform were the summoning from New York of Mr. Stettinius to advise the secretary of war as surveyor-general of supplies, and the establishment by General Order No. 5 (January 11, 1918) of the office of director of purchases as a part of the general staff.

During the hearings before the Senate committee Secretary Baker stated that the complete consolidation of the procurement activities of the supply bureaus into a single central procurement agency for the army was under consideration. The adoption of such a measure would have meant the substitution of one purchasing department for the army in place of the decentralized bureau system then prevailing; the army at least would have gone as a unit into counsel with the other procurement bodies before the War Industries Board. But difficulties stood in the way of even such a half-way approach as this toward consolidated government purchase by a ministry of munitions. The opposition of the chiefs of the army supply bureaus to the plan was a determined one. They alleged that a sweeping reorganization of existing procurement machinery would operate to disorganize the bureaus, which, they claimed, were functioning effectively and furnishing the American troops in France with supplies. Accordingly, the first steps taken were simply in the direction of providing supervision and correlation of the procurement work of the bureaus; and it was to

perform this function that the new office of director of purchases was established.⁴⁶

The office of director of purchases came into existence as a part of the general staff on January 11, 1918; on February 9, it was reorganized as the division of purchase and supplies.⁴⁷ On April 16 there was another reorganization, from which emerged the purchase, storage, and traffic division.⁴⁸ A third reorganization took place by virtue of General Order No. 80 on August 28. There were further reorganizations in September and October.

The detailed history of these organizations and reorganizations is confused and confusing. It would seem as if, almost before the new organization had time to get the swing of its work, it was thrown out of gear by a subsequent reorganization. And that is in effect what happened. The history of the various transformations of the purchase and supply division of the general staff is hardly a history of concrete achievement; it is rather a history of painful progress by slow degrees toward a form of efficient organization. That organization was not reached until the very end. At the date of the armistice the organization was at last in shape to function effectively.

The story, in short, is one not so much of accomplishment as of development in organization; and under its surface two lines of development can be traced very clearly. The first, strong at the beginning and growing weaker, is development in the direction of a kind of federalism of supervision and coördination between the activities of the supply bureaus. The second, growing stronger all along, is development in the direction of consolidating army purchasing into the hands of one central agency. It was clear to very many from the beginning that the latter must be the inevitable outcome; but so strong were the opposing influences that the result could only be reached by halting approaches.

⁴⁶ Report of chief of staff for 1919; War Department, "Annual Report," 1919; Vol. 1, p. 353.

⁴⁷ General Order No. 4.

⁴⁸ General Order No. 36.

Throughout the spring and summer of 1918 the purchase and storage division functioned as a coördinating agency between the supply bureaus. To this end it was provided in the general orders that the director of purchase and storage should "exercise control in matters of purchase" and should communicate directly with the heads of the supply bureaus.⁴⁹

The work of coördination with which the new division was charged required that it should first of all act as an intermediary between the bureaus and the War Industries Board. This function was of importance mainly in connection with requirements, clearances, and priorities.

One of the principal functions of the War Industries Board was to discover and make available adequate facilities for furnishing the supplies needed by the army. Hence when actual or threatened shortages existed in particular finished articles or in raw materials or production facilities, it was necessary for the board to know the prospective requirements of the army as a whole. Only the ordnance department and the quartermaster's corps among the bureaus had developed any machinery for calculating their requirements in terms of finished articles; none of the bureaus had made any attempt to convert these requirements into terms of raw materials. Yet it was obviously necessary for the War Industries Board to know not merely the requirements of finished articles, such as shoes and uniforms, but also the amounts of leather, wool, etc., needed for the making of the finished products. The new organization set itself to the task of compiling this information, and a separate section on requirements calculations was established to do the work.⁵⁰

A second function of the purchase and storage division was in connection with "clearances." "Clearance" in the language of Washington during the war meant the settlement of priority as between immediate purchases. We have already

⁴⁹ General Order No. 14.

⁵⁰ Report of chief of staff for 1919, War Department, "Annual Report," 1919; Vol. 1, p. 355.

seen how during the early months of the war conflicts developed between the departments and bureaus of the Government in regard to purchases of articles in which there was a scarcity. In order to settle those conflicts the contemplated purchases were referred to the General Munitions Board for "clearance," and "clearance" was supposed to be granted only after the conflicts had been adjusted. In these negotiations the five supply bureaus of the army appeared independently before the Munitions Board and frequently asked that body to settle conflicts between two supply bureaus of the army. As the army program developed in size, purchases calling for clearance increased, and it became a matter of dissatisfaction to the General Munitions Board, and to its successor, the War Industries Board, that the army was not able to act as a unit in requests for clearances. Accordingly the purchase, storage, and traffic division undertook in May to bring about this unity. The effort, however, was a little belated, as an efficient organization had already grown up in the shape of army commodity committees. Each of these committees was concerned with arranging for the supply of the particular article or group of related articles which were handled by some one of the commodities sections of the War Industries Board. That is, there was an army commodity committee corresponding to each commodity section of the board, a committee on chemicals, a committee on cotton, a committee on jute and cordage, etc. Each of these army committees consisted of representatives of those supply bureaus into whose requirements the article entered. A direct contact was thus established on the one hand between the supply bureaus, and on the other between the army as a whole and the producing agencies as represented in the War Industries Board. Efficiently as the committees were operating, it was no doubt the part of wisdom to subject them, as was done, to the unifying control of the purchase, storage, and traffic division. In this way possible conflicts of interest between committees were guarded against; and a guarantee of unity was introduced into

army policy which placed the army in a position of greater advantage before the War Industries Board. Through the machinery of the committees requests for clearance became reduced to a mere matter of routine. Speaking of the work of the army commodities committees, the chief of staff said in his report for 1919: "If the United States should ever again be involved in a war comparable in magnitude with the recent war, one of the first steps which would need to be taken would be the reconstruction of a set of commodity committees similar to those which served the army during the late emergency. This should be done in any event, whether or not an organization similar to the War Industries Board is to be created. The chaotic relationships which existed during 1917 between the various parts of the army organization and the War Industries Board, as contrasted with the efficient mechanism finally devised under the director of purchase, storage, and traffic, serves powerfully to establish the conviction that there should be no return to the former bureau system of army supply."⁵¹

As "clearance" was the word used for priority between immediate purchases, so the application of the word "priority" was limited in our war-time speech to the determination of preferences in broader matters of policy and requirements. It was also used of the preference to be given a government contractor in matters of fuel, raw material, labor, and transportation service as against other government contractors whose contracts were deemed to be less essential to the army program. Here, as in the matter of clearances, but in a less detailed way, the army had to work with the War Industries Board. "One of the tasks of the purchase, storage, and traffic division was the development of a priority system for the army. This included both the settling of priority questions as between the various supply bureaus of the War Department and the single representation of the War Department in priority matters in the forum of the War Industries Board." The scheme

⁵¹ *Ibid.*; p. 364.

which was worked out "provided for the creation of a priorities committee within each supply bureau: conflicts within a bureau were to be settled by the bureau committee; the requests were then to be transmitted to the army priorities officer; and after conflicts between bureaus had been resolved, the requests were to be put through the regular procedure of the priorities committee of the War Industries Board."⁵²

In addition to taking charge of the army's relations with the War Industries Board, the purchase, storage, and traffic division undertook in a number of other ways to unify the policy of the supply bureaus. Thus a surveyor-general of contracts was appointed in the division to establish uniformity among the contract forms used by the bureaus, develop improved forms, and act in an advisory capacity in matters of contract policy. Similarly a standardization unit was established to develop uniformity and interchangeability between different articles of the same kind used by the army. An instance is reported to illustrate what was accomplished in this direction. The subcommittee on standardization of hand-tools and hand-chests made a reduction in the number of kinds of tool-chests used by the various branches of the army from approximately seventy-seven to seven types, which were smaller and less expensive than the replaced types. The subcommittee estimated that the saving in cost and freight charges on this one item alone amounted to approximately \$5,000,000.⁵³

The statement has been made above that the supervisory and coördinating policy of the purchase, storage, and traffic division merged gradually into a frank policy of consolidating the procurement of army supplies in the hands of a single centralized bureau. This policy was made possible by the passage of the Overman Act on May 20, 1918.^{53a} The Overman Act represented a victory for the War Department in its op-

⁵² *Ibid.*; p. 371.

⁵³ *Ibid.*; p. 362.

^{53a} This very important statute fills only one page of the statute-book. 40 Statutes at Large, p. 556.

position to the various proposals for a war cabinet or a ministry of munitions. The act, instead of creating a single agency for the conduct of supply operations, merely gave the President a free hand and full power to transfer the functions of any bureau of the Government to any other as he saw fit. Under the authority of this act, steps were taken toward the consolidation of army procurement. The first step was the comparatively conservative one of instituting a system of so-called "interbureau procurement." The essence of this system was that when two or more bureaus were using and purchasing the same article, all purchases should thereafter be made solely by the bureau which consumed the article in the largest quantities. On this principle, the purchase of one group of articles was consolidated in one bureau, and of another group of articles in another, in accordance with supply-circulars prepared by the purchase, storage, and traffic division. An issuing bureau which wished to obtain supplies assigned for procurement by the supply-circulars to another bureau, requisitioned the procuring bureau for such supplies. Upon receipt of an interbureau requisition, the procuring bureau was responsible for making the purchase, following up production, conducting inspection, and making acceptance of and payment for the articles requisitioned. Funds for the payment of the order were transferred by the finance office of the issuing bureau to that of the procuring bureau. After the articles had been procured and paid for, they were turned over to the issuing bureau.⁵⁴

The interbureau procurement system gave rise to many difficulties and resulting complaints. Purchasing officers in the bureaus were irritated at having to give up direct connections which they had established at considerable trouble with the sources of supply, and at being compelled to resort to tedious and roundabout dealing through another bureau. The charge was made, no doubt in many instances with justice, that

⁵⁴ Report of quartermaster-general, War Department, "Annual Report," 1919; Vol. 1, p. 723.

the procuring bureau was mainly interested in getting its own supplies and did not give proper attention to the procurement requests of other bureaus.⁵⁵ The latter were no longer able to follow up the progress of work on their contracts, and delays, deadlocks, and disputes between the bureaus resulted. Much of this dissatisfaction was due to inherent defects in the system of interbureau procurement itself, which was at best a clumsy half-way compromise; much on the other hand was no doubt due to the fact that the system "became a point of complaint around which centered the widespread opposition of the bureaus to the general process of supervision and centralization which was going on."⁵⁶

The interbureau procurement system inevitably represented

⁵⁵ The criticism of the "interbureau procurement" system by the chiefs of the procuring bureaus is well represented by the following testimony of Major-General Sibert, chief of the chemical warfare service: "Under the system of interbureau requisition, the theory is that one man should buy all the monkey-wrenches for the army; that another man should buy all the acetic acid for the army; that a third man should buy all the sulphuric acid for the army—responsibility scattered all over the face of the earth. For instance, suppose I am called on to supply a certain line of gases for the army; I find that I need acetic acid, let us say. I have to put in an interbureau requisition to the aircraft to get it. If I need sulphuric acid, I have to put in a requisition to the ordnance to get that; if I need organic chemicals, I have to put in a requisition on the quartermaster to get them; if I need alcohol, I have to put in a requisition on the ordnance department to get that; and so on, interminably. I put in my requisitions to all these bureaus. If anybody can tell me when they will get through then I will tell you when I can do business. My hands are tied until every one of those independent agencies, over which I have no control, turns out his particular element of those things that I must have before I can go ahead. He does it when he gets ready, and he will furnish himself first, generally." Testimony before subcommittee of Senate Committee on Military Affairs, August 25, 1919; "Hearings on Senate Bills 2691, 2693, and 2715," Sixty-Sixth Congress, first session; Part VI, p. 334; Washington, Government Printing-Office, 1919.

⁵⁶ Report of chief of staff, War Department, "Annual Report," 1919; Vol. 1, p. 373.

a transitional stage; it was too complicated and clumsy, and involved too much crossing of wires, to be economical or efficient; but it led logically to a further and simpler stage in the evolution toward centralized procurement. This development took place through the consolidation of the procurement of an increasing number of articles in the hands of one bureau, the quartermaster corps. The latter corps was gradually stripped of operating functions and converted into a pure purchasing and issue agency.⁵⁷ At the same time its connection with the purchase, storage, and traffic division of the general staff was drawn increasingly closer. When the functions of the latter organization were extended, defined, and elaborated in the great reorganization of August 28, 1918,⁵⁸ the quartermaster-general was ordered to report to the director of purchase, storage, and traffic; and two weeks later the two offices were partially consolidated by Supply Circular No. 91, which provided that "the quartermaster-general of the army, as director of purchase and storage, shall have responsibility for and authority over storage, distribution, and issue within the United States of all supplies for the army." This consolidation between the two departments was the closer as the offices of quartermaster-general and director of purchase, storage, and traffic were for the time being filled by the same man, Major-General Goethals.

On September 18 practically the entire quartermaster corps as it was then functioning was removed bodily and made a part of the purchase, storage, and traffic division of the general staff.⁵⁹ This radical measure made way for the great final step toward centralized procurement; and between October 22 and October 24 the procurement activities of the engineer corps, the medical corps, and the Signal Corps were also transferred to the purchase, storage, and traffic division,

⁵⁷ Report of quartermaster-general, War Department, "Annual Report," 1919; Vol. I, p. 724.

⁵⁸ 1918, General Order No. 80.

⁵⁹ Report of quartermaster-general, War Department, "Annual Report," 1919; Vol. I, p. 30.

the latter office thereby becoming a central procuring agency for the entire army except for articles of a technical and highly specialized nature such as were used by the ordnance department, the Bureau of Aircraft Production and the Chemical Warfare Service. These bureaus continued to make their purchases independently. "The consolidation of procurement into a central purchasing agency," writes the chief of staff, "was a great achievement from the point of view of the reorganization of the supply system of the army, and of the elimination of the wasteful and unbusinesslike methods of buying which were the inevitable results of the uncoördinated activities of the bureaus. The problem of organization was solved, and the precedent of centralization was established."⁶⁰ Eighteen days later came the armistice.

Testifying nine months later before the Senate Committee on Military Affairs, Major-General Burr, then head of the purchase, storage, and traffic division of the general staff, summarized the advantages of consolidated procurement as follows: "I can not put too much emphasis on this question of consolidation of procurement and finance and transportation. It is sound business policy. All of our business corporations that amount to anything, and have any system at all, have a single purchasing-agent. Take the United Fruit Co., which has a fleet of steamers and which practically runs colonies in Central America; it has stores, hospitals, schools, transportation lines, and so forth, and it has a single purchasing-agent who purchases medicines, hospital supplies, subsistence, clothing, engineering materials, steamboats, and everything that it uses. The War Department will not get down to a practical business basis until we are permitted to carry through this consolidation that was begun by General Goethals. The bureau system did not work in an emergency and it never will work."⁶¹

⁶⁰ Report of chief of staff, War Department, "Annual Report," 1919; Vol. 1, p. 426.

⁶¹ Testimony in "Hearings before subcommittee of Senate Committee on Military Affairs, on Senate Bills 2691, 2693, and 2715," Sixty-Sixth Congress, first session; Part IV, p. 227.

In a general way what has been said of the consolidation of purchases applies also to the consolidation of storage and transportation operations in the purchase, storage, and traffic division. The conditions which existed at the outbreak of the war were virtually the same as in the case of purchases, and the same reasons operated to bring about consolidation. Each bureau maintained its own storage depots, and with the sudden increase in the size of the army a shortage in storage space developed with consequent confusion. In addition, the quartermaster's corps, which required about 80 per cent. of the storage space needed for the whole army, had a very incomplete system of control over its depots and was even without detailed information regarding their needs. The first step taken was to organize a separate warehousing division inside the quartermaster's corps with authority to supervise and control all the storage operations of the corps. On February 10, 1918, the director of storage of the quartermaster's corps became the chief of the storage division of the storage and traffic branch then established in the general staff. In this capacity, he took over the task of supervising army storage in general. Until September his functions remained of a supervisory character, this supervision being exercised first over the provision and secondly over the utilization of storage facilities. Instructions were issued to all bureau chiefs that requirements for storage and shipping facilities were to be submitted to the director of storage for investigation and approval before action was taken. Several of the bureaus at this time had on hand funds for the construction of storage facilities. The director of storage was required to determine the actual storage requirements of all the bureaus and the proper location for new facilities from the point of view of economical distribution. Whenever one of the bureaus desired additional storage facilities, a statement of the requirements, with the necessity and the comparative desirability of locations, was submitted to the director of storage, whose office investigated the need for the project, approved the location, and authorized the allotment of funds.

Even more important than the provision of storage facilities was the problem of their proper utilization. Through lack of adequate storage facilities at the ports, piers were quite generally used for storage purposes with the result that supplies were loaded on ships without regard to the actual need for them in France, but purely as a result of their random accessibility to the ships. It developed that much of this congestion was due to lack of coördination between the activities of the bureau representatives at each port. The limited storage facilities available were not utilized to capacity because of the established practice of allotting certain definite warehouses to each of the bureaus, so that space controlled by one bureau was often unoccupied, while other bureaus had a surplus of supplies which had either to be left in the cars in railroad yards or else stored on the piers. To remedy this situation at the port of New York, a chief storage officer for the port was appointed in April, 1918, and was vested with the power of general supervision over all storage space, with authority to supervise and coördinate the activities of the different bureau representatives there. This officer was a subordinate of the director of storage. The bureau representatives, however, still retained the responsibility for supplies in storage and for their assembly for overseas shipment. By General Order No. 54, issued June 2, 1918, this responsibility was transferred at the primary embarkation ports to the port storage officer, who was thus placed in charge of the actual operation of port storage facilities.

In a memorandum of July 18, 1918, the chief of the purchase, storage, and traffic division recommended to the chief of staff that "storage ought to be consolidated in one central system responsible for the storage of all army supplies. Such is the case in all great business systems, and in the English and possibly other armies." The first step toward realizing this result was the consolidation of the office of quartermaster-general with that of the director of purchase and storage, already referred to. Between this time and the signing of the armistice the storage functions of three other bureaus—the

engineers, the medical department, and the signal corps — were taken over by the purchase, storage, and traffic division. The effect was to transfer the actual operation of most of the storage functions of the army to the general staff.⁶²

The history of storage consolidation thus shows the same stages of evolution as were observed in the case of the consolidation of procurement — first, absolute decentralization; secondly, an unsuccessful attempt at coördination through supervision; and finally, direct consolidation of operating functions in the general staff.

A similar development can be traced in the control of the transportation of troops and supplies. At the outbreak of the war, movements of all troops and supplies by water, and movements of troops and quartermaster's supplies by land, were conducted by the transportation division of the quartermaster's corps. Land movements of freight belonging to the other supply bureaus were carried out directly by the bureau concerned; and each bureau had its own machinery for handling its own transportation problems. With our entrance into the war the transportation problem for the army as a whole divided into two parts: first, the problem of embarkation and shipment overseas of troops and supplies; and, secondly, the problem of inland transportation from the point of origin to the port of embarkation. At the outset, New York and Newport News were designated as ports of embarkation; 88 per cent. of the troops shipped overseas passed through New York. For each of these ports a commander of the port was appointed, whose functions were to plan and supervise the prompt transshipment of troops and supplies. He was to make proper arrangements for the detrainment of troops and material, for the subsistence of troops while at the port, and for their subsequent embarkation; and to prepare schedules for and supervise the embarkation process. Arrangements for financing, chartering, and

⁶² For a history of the consolidation of storage functions in the general staff, see report of chief of staff, War Department, "Annual Report," 1917; Vol. 1, pp. 397-410.

altering the necessary ships were left with the quartermaster's corps. On August 4, 1917, by General Order No. 102 there was established in the general staff an embarkation service "to coördinate all shipments of supplies of every kind and all troop movements whose ultimate destination is Europe. . . . It will have direct supervision, under the chief of staff, of all movements of supplies from points of origin to ports of embarkation, will supervise the latter, and will control the employment of all army transports engaged in the transatlantic service and such commercial shipping as may be used to supplement that service." At first the service occupied itself with supervising and coördinating the ports with each other to meet cabled requirements, permitting the officers of the transportation division of the quartermaster's corps to continue performing actual operations. Gradually, however, control was centered in the embarkation service, to which the water transportation branch of the transportation division in effect reported.⁶³ The functions which the embarkation service performed either directly or through the transportation division were (a) to allocate troops and freight to the various transport vessels; (b) to supervise the loading of troops and freight; (c) to prevent the shipment of freight to a port before the port was ready to handle it; (d) to trace the movement of freight urgently needed for shipment. In December, 1917, the embarkation service became part of the newly organized storage and traffic service of the general staff, and in April, 1918, of the purchase, storage, and traffic division. Through these various reorganizations, however, its functions and internal organization remained unaltered.

The thorniest transportation problem with which the army was confronted was that of securing the prompt shipment of freight between the source of supply and the embarkation port, and at the same time of preventing the shipment until the port was

⁶³ Colonel Chauncey Baker, assistant to the chief of the embarkation service, was in charge of the transportation division of the quartermaster's corps; testimony of General Hines before Senate subcommittee, August 19, 1919, "Hearings"; p. 232.

ready to handle it. At the outset, as has been said, these shipments were under the separate control of the different supply bureaus. Just as the bureaus competed for raw materials and for manufacturing facilities, so they competed for transportation. "A quartermaster officer buying shoes for the American Expeditionary Force felt no concern for any possible shortages in railway, warehouse, or steamship facilities from which some other division or bureau might be suffering. Nor did the engineer corps worry over getting forage or clothing or small arms from the farm or factory to the front. . . . Naturally the inevitable result followed. In the placing of contracts, the emphasis was all upon speed, and as the productive facilities of the country responded to the urgent demand of the hundreds of procurement officers, a vast stream of supplies began to flow over the railroads toward the ports of embarkation. The shipments were soon in excess of the carrying capacity of the available ship tonnage, and congestion began at the ports. The universal pressure for speed resulted in shipments of army articles greatly in excess of current needs. And with the submarine steadily making the available tonnage still more inadequate, such excess shipments meant either that the articles would be sent to France in cargo-space more needed for other things or that they would be held at the ports, taking up much needed space and hindering the flow of the great current of supply."⁶³

The method first adopted to remedy this situation was to require the supply bureau which desired to make a shipment to secure a transportation release before it made arrangements for the shipment with the carrier. These transportation releases were at the outset granted by the commander of the port but after October, 1917, were centralized in the embarkation service of the general staff. The issuance of the release was contingent upon the capacity of the port to take care of the shipment. This measure, however, proved ineffective. The

⁶⁴ Report of chief of staff, War Department, "Annual Report," 1919; Vol. I, p. 391.

embarkation service had no effective mechanism for holding up shipments at the point of origin; and in the absence of such a mechanism the regulation was to a considerable extent disregarded by the shipping officers of the supply bureaus. Conditions, instead of improving, became worse, and culminated in the virtual paralysis of transportation in January, 1918. "Approximately 30,000 car-loads of government freight, including that of the War Department and that of the Allies, were on hand at the ports of Boston, New York, Philadelphia, Baltimore, Newport News, and Norfolk. There were approximately 2000 cars under load with War Department property, more than 3000 car-loads on piers, and approximately 1100 on the ground."⁶⁵

To meet this situation there was created in the storage and traffic branch a division of inland transportation on January 10.⁶⁶ A director of inland transportation was appointed who was to "have jurisdiction over all matters pertaining to routing and inland transportation of all troops and property by whatever means of transport. He shall prepare and promulgate for the information and guidance of those interested a system and uniform plan for the conduct of the business of the division. Bureau chiefs, commanding officers, depot quartermasters, and all other officers shall provide such assistance as may be required from time to time." To prevent future congestion it was provided that henceforward no shipments to embarkation ports or other congested points should be accepted by the carriers at points of origin except with the approval of the director of inland transportation. This approval was to be evidenced by a transportation order which not only allowed the shipments to be made but operated as an order to the carrier to furnish the necessary transportation. The supply bureaus, when they wished to arrange for an overseas shipment, had to obtain a release from the embarkation service and

⁶⁵ Testimony of Brigadier-General Frank Hines, before Senate subcommittee, August 19, 1919, "Hearings"; p. 240.

⁶⁶ The personnel of this service was largely recruited from experienced railroad men.

to present this release to the inland transportation division in applying for the transportation order without which the shipment could not move from the point of origin. The director of inland transportation was made a member of the Railroad Administration, and through the control which the Government has assumed of the roads it became possible to make mandatory upon the carriers the observance of the transportation order requirement.

By order of June 8, 1918, the separate transportation units in the various supply bureaus were abolished, and their functions transferred to the division of inland transportation, which was renamed the inland traffic service. In this way all inland transportation of army freight was centralized in a single office.

The inland traffic service also coöperated in inland movement of troops, serving as an intermediary between the embarkation service and the troop movement section of the Railroad Administration.⁶⁷

The last field in which the termination of hostilities found the general staff acting as an operating department was that of finance. At the outbreak of the war each of the five supply bureaus had its own disbursing officers and its own system of fiscal accounts. These systems were quite independent and received no outside supervision except an occasional inspection by representatives of the inspector-general's department.⁶⁸ In addition to the financial operations of the supply bureaus, funds were disbursed by the general staff corps, the militia bureau, the inspector-general's department, and the office of the secre-

⁶⁷ This summary of the traffic work of the general staff has been based on the report of chief of staff, War Department, "Annual Report," 1919; Vol. 1, pp. 377-397. See also testimony of Brigadier-General Frank Hines before Senate subcommittee on Military Affairs, August 19, 1919, Sixty-Sixth Congress, first session, "Hearings on Senate Bills 2691, 2693, and 2715"; pp. 231-252: before House Committee on Military Affairs, October 14, 1919, Sixty-Sixth Congress, first session, "Hearings on H. R. 8287, etc."; pp. 991-1027.

⁶⁸ Officers of this department were not trained accountants but employed to some extent the assistance of trained clerks.

tary of war. In short there were ten agencies in the War Department which were handling funds. A fundamental difficulty existed in the system by which money appropriations for the army were made by Congress. Jealousy of military power and a desire by Congress to retain control of the details of army administration has led to the practice of allotting in every annual army appropriation bill a definite sum to each of the expending bureaus for a definite purpose, and money allotted for one purpose can not be utilized for another purpose. The army appropriations were divided into watertight compartments the contents of which were not transferable.⁶⁹ No alteration in this system was possible through administrative action even under the Overman Bill, and all that could be done was to improve the machinery of accounting and disbursement. Theoretically control was centered in the secretary of war; but the secretary had no machinery for exercising it and there was "no opportunity and no agency to review the financial operations of the War Department as a whole. No one could tell the entire balances of the army."⁷⁰ Each bureau was supposed to know its own deficiencies or surpluses, but often did not. "The great bulk of the War Department funds was naturally handled by

⁶⁹ An example of the working of the system is given in the following: "We had a liberal appropriation for the purchase of animals. Owing to a change in military policy and the urgent need of shipping troops, the shipping of animals was discontinued, and consequently the purchase of horses was stopped, so that when the year 1918 expired, there was a balance of \$32,000,000 left under the appropriations for 'horses for cavalry, artillery, and engineers.' Notwithstanding that, the secretary of war was obliged to go before the Congress and call for a deficiency to meet certain demands that had arisen. If he had had budgetary authority to use that balance, he could have avoided or reduced the amount he was obliged to request from Congress." General Lord, "Hearings before House Committee on Military Affairs, on H. R. 8287, etc.," Sixty-Sixth Congress, first session, October 20, 1919; p. 1679.

⁷⁰ General Lord, *Ibid.*; p. 1685.

the five supply bureaus, each of which had its own finance system. The organization and functions of these sections varied greatly. Terminology employed, forms used, methods of procedure followed, and the character of the records maintained differed widely. There was no uniformity of classification as to the exact purposes for which funds were spent. As a result it was impossible without going through a mass of individual vouchers to determine the total expenditures of the War Department for single items, or, in some cases, the itemized expenditures of a single bureau. Property accountability, the preparation of appropriation expenditures, the recording, filing, and execution of contracts, the settlement of claims, etc., were handled by the finance sections of some of the bureaus, but not by others."⁷¹

With the creation of the office of director of purchase on January 11, 1918, there was established under him a unit known as the fiscal section "for supervising the preparation of financial estimates and expenditure of appropriations." This section became the finance section of the purchase, storage, and traffic division on May 8, 1919, and was charged (1) with standardizing and coördinating all fiscal accounting methods in the several bureaus; (2) preparation in budget form of estimates for the entire War Department; (3) furnishing reports at stated intervals of accounts for the entire War Department. The powers of the finance section were supervisory, not operating; and here, as elsewhere, supervision over several operating agencies tended to duplication, conflicts of authority, and divided responsibility. It was inevitably a half-way stage toward consolidation of operation. This was effected on October 11 when the finance section was superseded by the finance department, headed by a director of finance, who was given direct responsibility for and authority over disbursements, money accounts, property accounts, fiscal reports, and the preparation of estimates for the entire army.

⁷¹ Report of chief of staff, War Department, "Annual Report," 1919; Vol. 1, p. 375.

In this office were consolidated the finance functions of all the bureaus, and the new organization took over their offices and personnel.⁷² The director of finance at once called to his assistance an advisory council consisting of a number of prominent financiers, among whom were Otto H. Kahn, of Kuhn, Loeb, & Co.; C. D. Norton, president of the First National Bank of New York; and Charles G. Dawes, president of the Central Trust Co. of Chicago. This step, like the utilization of railroad men in the inland traffic service, goes to illustrate once more the policy which was observed in connection with the draft administration of resort by the Government to the assistance of civilian experts.

The removal of finance operations from the bureaus and their consolidation in a central agency met with particularly strong opposition from the bureau chiefs. Pages of Congressional hearings are filled with their complaints. The measure, however, had the endorsement of prominent financiers who had studied the problem, including Secretary Glass of the Treasury; and it effected two improvements in army policy. In the first place, it made it possible for the first time to get a complete and accurate survey of army finances at any given moment; and, secondly, it made possible mobilized action with consequent saving in such matters as purchase and sale of foreign money, transmission of credits overseas, and a proper schedule of allotting appropriations through the year. The bureau chiefs retained power to control the expenditure of money allotted to their bureaus; but the funds of the department as a whole were kept massed for greater economy and effectiveness.

In 1919 the finance department was severed from the general staff and became a separate operating bureau along with the other bureaus. At the same time steps were taken toward the

⁷² The consolidation of disbursements in the United States followed an earlier application of the same method to disbursements in France. See General Lord, "Hearings Before Senate subcommittee," October 6, 1919; p. 1071.

preparation of a budget scheme for the army and a modification of the system of non-transferable appropriations.⁷³

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At the close of the war it became necessary to determine what features of the emergency organization of the army should be embodied in permanent legislation. So far as concerns the general staff, this seems the proper place to summarize the result.

The first project for army reorganization put forward after the armistice was a bill prepared by the War Department and introduced in the House of Representatives by Chairman Dent of the Military Affairs Committee on January 16, 1919 (Sixty-Fifth Congress, third session, H. R. 14560). The provisions of this bill dealing with the general staff were substantially reproduced in the bill introduced in the Senate on August 4, 1919, at the instance of the War Department. General March stated that the bill was "licked into shape" by a committee consisting of himself, General Goethals, and the heads of the war plans, operations, and military intelligence divisions of the general staff.⁷⁴ The bill therefore represented the post-war views of the general staff.

In this bill it was provided that the general staff should consist of 231 officers, and 378 non-commissioned officers and enlisted men. The chief of staff was to have the rank of general and

⁷³ For a summary of the work of the Finance Department, see the following: Report of chief of staff, War Department, "Annual Report," 1919; Vol. 1, pp. 373-377, 410-414: testimony of General Lord before Senate subcommittee on Military Affairs, October 6, 1919, "Hearings before Senate Committee on Military Affairs, on S. 2691, etc."; Sixty-Sixth Congress, first session; pp. 1065-1131; October 17, 1919, "Hearings on H. R. 8287, etc."; Sixty-Sixth Congress, first session; pp. 1569-1684.

⁷⁴ Hearings before Senate subcommittee on Military Affairs, August 8, 1919, Sixty-Sixth Congress, first session, "Hearings on S. 2691, etc."; p. 84.

take precedence over all other officers of the army.⁷⁵ The detail of officers in the general staff was to be for four years and no longer; and no officer was to be eligible for a further detail until after at least two years' service in the line, except in the event of war. The chief of staff, under the direction of the President, was to "have supervision of all agencies and functions of the military establishment." He was to be "the immediate adviser of the secretary of war in all matters relating to the military establishment," and "by authority of and in the name of the secretary of war" was to "issue such orders as will insure that the policies of the War Department are harmoniously executed by the several corps, bureaus, and other agencies of the military establishment." The general staff corps, under the direction of the chief of staff, was to "prepare plans for the national defense and for the mobilization of the military forces in time of war; to investigate and report on all questions affecting the efficiency of the army and its state of preparation for military operations; to render professional aid and assistance to the secretary of war and to general officers and other superior commanders, and to act as their agents in informing and coördinating the action of all the corps, bureaus, and agencies which are subject under this act to the supervision of the chief of staff; and to perform such other military duties not otherwise assigned by law as may from time to time be prescribed by the President." Section 5 of the National Defense Act, containing the restrictive language which had caused trouble in 1916,⁷⁶ was to be expressly repealed. The policy of the Overman Act, conferring on the President power to assign, withdraw, and redistribute in his discretion the functions of the various bureaus was to be continued as to the army: "The President shall have authority to make such distribution or redistribution of the duties, powers, functions, records, property, and person-

⁷⁵ It had been provided by the Army Appropriation Act approved May 12, 1917, that the chief of staff was to take rank and precedence over all other officers of the army (40 Statutes at Large; p. 46); his rank was raised to that of general by act of October 6, 1917.

⁷⁶ See above, p. 265.

nel of such previously existing departments, bureaus, and offices as he may deem necessary for the efficiency of the military service.”⁷⁷ This very broad power would have allowed the War Department to transfer bureau functions to the general staff without restriction; and the object of the clause seems to have been to make possible the continuance of the general staff organization and functions as they stood at the end of the war.

Considering the duties which the bill thus laid upon the general staff, together with the size of the permanent army which it at the same time provided for — 500,000 men — the proposed increase in the number of general staff officers to 231 was hardly excessive. Even apart from the continuance of administrative duties by the staff, the number is not excessive when compared with the size of the staffs maintained by other great powers before the outbreak of the war.⁷⁸ An important factor in this connection was the plan of the War Department to increase the number of general staff officers serving with troops. Only ninety-seven officers and no non-commissioned officers or enlisted men were to be kept on duty in Washington. The new permanent army was to be organized into corps and divisions, and each of these was to be provided with a staff in which officers would be trained for the performance of such staff duties in the field as had been found necessary in the American Expeditionary Force in France.⁷⁹

Nevertheless, the size of the proposed general staff met with violent opposition in Congress. In his analysis of the War Department's bill, Senator Chamberlain thus comments on it:

⁷⁷Section 1. For the bill as introduced on January 16, 1919, see “Hearings before House Committee on Military Affairs,” Sixty-Fifth Congress, third session, H. R. 14560, Washington, Government Printing-Office, 1919; pp. 3 ff.

⁷⁸French general staff, 1914, 644 officers; German general staff, 650 officers; British general staff, 232 officers; Japanese general staff, 234 officers.

⁷⁹Testimony of General March before House Committee on Military Affairs, September 12, 1919, Sixty-Sixth Congress, first session, “Hearings on H. R. 8287, etc.”; pp. 123-125.

"It will be difficult to convince any one, not a present or a prospective member of the general staff corps, and who is reasonably well informed as to the affairs of the War Department and the army, that there is the slightest necessity either in peace or in war for a general staff corps of 231 officers, top-heavy with military rank of the highest grades. Undoubtedly the proponents of such an organization will undertake to defend it by asserting that it is urgently needed because of the vast amount of business that was transferred to the general staff, under the Overman Act, from the various bureaus of the War Department during the recent war, and that it is one of the purposes of the present bill to make that transfer permanent. The rejoinder will be that there never was any reason for taking that business away from the bureaus, or for refusing to return it to them, other than a desire of the general staff for self-aggrandizement; that whatever inefficiency there was among them at the outbreak of the war was mainly due to the utter unpreparedness of both the War Department and the army for war, and that after the transfer to the general staff it increased rather than diminished, notwithstanding a reckless expenditure of a vast amount of money; and, finally, that if the general staff would confine itself to its legitimate duty of supervising the work of the bureaus, instead of doing that work, the fifty-five officers authorized for the general staff corps by the National Defense Act would be an ample allowance in time of peace."⁸⁰ This view finally prevailed, and in the bill which became law on June 4, 1920, the number of officers to be detailed to the general staff was fixed at ninety-two.

It seems to have been the intention of the War Department to continue the functions and organization of the purchase, storage, and traffic division of the general staff as they existed at the close of the war. This was urged by Secretary Baker as the reason of the War Department's desire for the new

⁸⁰ "Army Reorganization Bill (S. 2715); Analytical and Explanatory Statement by Senator George Chamberlain; printed for use of Senate Committee on Military Affairs"; September 5, 1919.

general staff legislation: "As the result of the war we think we have discovered a better relationship of the staff to the army, and of the staff to the bureaus, a better organization of the War Department. I doubt whether that could be legally carried on without this legislation."⁸¹ General March urged the same thing: "Any general staff which would be organized would necessarily embrace four principal divisions. Those divisions are: operation; military intelligence; purchase, storage, and traffic, which is the coördination of all the supply systems; and what we call the war plans division, which studies strategy and plans of campaign. The matter of supplies and purchases is a marked change over what occurred before the war."⁸²

The retention of these supply functions by the general staff met, however, with determined opposition from a long list of bureau chiefs who testified before the committees of Congress. Their objections crystallize into two: that the new system was less efficient than the bureau system of procurement; and that it involved duplication of effort and was more expensive. General Williams of the ordnance department complained that under the system of consolidated procurement the arsenals found difficulty in getting from the central purchasing agency the exact articles fitted to their technical requirements: they would call for "King Cutting-Oil," which they had found better than any other, and be supplied with a different brand. Great delay was experienced in receiving articles requisitioned. Clerical work was enormously increased by the number of new reports and forms which had to be filled out. He thought little was to be gained by removing the function of purchase of manufacturing material from manufacturing establishments like the arsenals. "In this matter of consolidated purchases there

⁸¹ "Hearings, House Committee, Sixty-Fifth Congress, third session, H. R. 14560, etc."; p. 21.

⁸² "Hearings, Senate subcommittee, Sixty-Sixth Congress, first session, S. 2691, etc."; p. 77. These hearings will hereafter be referred to as "Senate Hearings."

has been a great deal of specious argument. . . . In passing from a peace to a war condition there comes a time when the different government bureaus unless coördinated will be competing against each other. Just as soon as it becomes evident that there is not enough of any particular kind of material to go around, then competition becomes a serious thing and has got to be regulated. But as soon as you get on the war basis, the question of competition passes, and you get to a condition of absolute regulation and allocation of material and fixing of prices.”⁸³ This regulation and allocation General Sibert of the chemical warfare service and General Coe of the coast artillery thought should be administered through some such outside agency as the War Industries Board.⁸⁴

Most of the bureau chiefs were opposed to consolidation of procurement altogether, irrespective of whether or not the central procuring agency was to be the general staff. General Sibert suggested a different solution, which corresponded with their point of view:

Senator Chamberlain: “How far do you think that we should go back, then, to the system that obtained on April 6, 1917?”

General Sibert: “I do not see any fault with that system.”

The Chairman (Senator Wadsworth): “It broke down, General. We had chaos here for a year after we went into the war. Something was wrong.”

General Sibert: “Any old machine that suddenly has put on it about a thousand times its ordinary load will break down under ordinary circumstances. The principal element of this machine was the general staff. . . . The general staff did not meet the situation by previous planning. They should have worked out a plan for the ordnance department and a plan for the quartermaster’s department, and for all the departments to meet such a situation; worked out conjointly by such departments and the general staff. This is the general staff function. Now if a complete plan had been worked out and had been made ready on file for each of the bureaus of the War Department to meet the

⁸³ “Hearings, House Committee on Military Affairs, Sixty-Sixth Congress, first session, H. R. 8287, etc.”; p. 502. These hearings hereafter referred to as “House Hearings.”

⁸⁴ “House Hearings”; p. 558, 1036.

general situation in case of a war of this magnitude, why could not that plan have been followed?"⁸⁵

The inadequacy of such a suggestion is, however, clear. The exact nature and size of any emergency is not predictable until it occurs. Everything depends on the current state of a thousand things which can not be foreseen—the state of the leather supply, wool supply, copper market, ocean tonnage, and so on. Plans can not be made beforehand to cover every possible permutation and combination of future circumstances. What is needed is an organization which will expand flexibly and make possible rapid adjustment to circumstances when they arise.

Among the most thorough-going advocates of consolidation of procurement, on the other hand, a number were not in favor of making the general staff the central procuring agency. General Goethals, himself the chief of the purchase, storage, and traffic division, was among these. General Goethals advocated the creation of a separate supply corps for the army.

The Chairman: "General, reverting to that suggestion I made a moment ago as to the supply department and its connection, if any, with the general staff as such: Do you believe that a supply department such as you in effect established is a proper part of the general staff?"

General Goethals: "No; . . . but conditions were such during the war, especially on the supply question, when somebody had to do something—it did not make a particle of difference whether it was a general staff officer or a line officer—somebody had to do it."

Senator Fletcher: "Do you think in peace times it is necessary to have such an organization as you have?"

General Goethals: "Not such a big organization, but I believe that such an organization ought to exist. It is simply absurd for two or more branches of the army for instance to be buying woolen clothing, or cotton goods; several buying leather goods, several buying hardware. When I looked into the situation with regard to hardware, the hardware men showed me the purchases to be made by the various bureaus, and the total amount required by the various bureaus of the War Department exceeded the production of the United States in hardware. Now that was an absurd condition. The central supply

⁸⁵ "Senate Hearings"; p. 337.

service should cover all standard commodities; the various bureaus would draw the specifications and the supply department would purchase them. I would leave to the bureaus the technical articles that require technical service, technical knowledge.”⁸⁶

General Goethals went on to outline the details of the supply corps which he proposed. He thought it should be composed of a military rather than of a civilian personnel. In time of peace a competent civilian personnel could not be secured at the salaries which the Government would be willing to pay. Also he thought that the personnel should be permanent. “I am opposed to the detail system. One of the reasons that the quartermaster’s department broke down was that as soon as the war came on, all the detailed officers who were any account wanted to get out with the troops; that is where they properly belonged, and they did get out, and their places were filled by commissioning a number of clerks in various divisions of the quartermaster’s department with the expectation that they would continue to perform the functions they previously performed. General Bliss, who was then chief of staff, objected to that and had the men ordered away; and it disrupted the department pretty badly.”⁸⁷

The most elaborate plan for doing away with the defects of the bureau system of procurement was presented by Assistant Secretary of War Crowell, whose duties had been in the main in connection with munitions. His proposal looked rather in the direction of coördinated interbureau procurement. He described his plan as follows:

“All the functions of the War Department can be divided into two main groups, the military function and the munition and supply function. At the head of the War Department stands the secretary of war, and he should naturally have two advisers. The head of the military establishment should advise the secretary of war on all military matters. I am proposing the abolition of the present office of assistant secretary of war and the creation of an under-secretary of war, or chief of munitions, to advise the secretary of war on all matters relating to munitions and the supply of the army. . . . The head of the military

⁸⁶ “Senate Hearings”; pp. 1031-1032.

⁸⁷ *Ibid.*; p. 1036.

establishment would therefore have charge of all military matters such as the training of troops, the operation of troops, etc. He should have no authority whatever over industrial matters. The chief of munitions on the other hand should with his staff have charge of all matters relating to the munitioning of the army, but should have no voice in military matters. . . . The actual reorganization of the War Department to meet these general principles is very simple; in fact, it requires little change from the organization which we had when we entered the war. The director of munitions should of course be a civilian, since it is very rare that an officer of the army is temperamentally fitted to head a huge supply organization. The military mind and the industrial mind are entirely different. Since he must be a close adviser of the secretary of war and have authority he should fill the position of assistant secretary of war. The duties of the assistant secretary previous to 1918 could profitably be handed over to other officials. Under the director of munitions would be grouped all problems of purchase and procurement, of storage and transportation. To the corps and bureaus as they now exist would fall the duty and function of the problems for which they were severally created. However, in order that inter-bureau competition should be eliminated in the matter of purchases, storage, etc., the director of munitions should be vested by law with authority to standardize procurement and distribute and redistribute the function of purchase as applied to specific articles, especially where they are common to the operation of two or more bureaus, as best experience would dictate. With this strong supervisory power in the director of munitions will be found, I believe, the solution of the much-criticized condition of purchases in the War Department prior to the operation of the Overman Act. Directly under the director of munitions would be a small group of men designed to coördinate the supply functions of the bureaus. In time of peace this would be limited to a very few men. Under this small coördinating body should be placed the supply bureaus. None of these bureaus are wholly devoted to supplies; they all have military functions connected with them, and the legislation should direct that in all supply matters these bureaus and departments should report to and function under the director of munitions, and in all military matters they should function under and report to the head of the military establishment."⁸⁸

The Chairman (Senator Wadsworth): "The subcommittee has had in mind the establishment, either under the name of the quartermaster corps or other appropriate name, of a department of supply which

⁸⁸ "Senate Hearings"; pp. 1761-1762: "House Hearings"; pp. 1803-1804.

should be charged with the procurement or purchase of all articles whose issue or use is common to two or more branches or corps of the army, and leaving thereby, by implication, the procurement of technical material to the staff corps."

Mr. Crowell: "Would this supply corps function under a department of purchase, storage, and traffic of the general staff?"

The Chairman: "Lacking any other suggestion or new legislation of that kind, it would operate under the general staff just as all these bureaus are operating to-day; it would be coördinated by the general staff."

Mr. Crowell: "I do not favor general staff coördination of industrial matters. . . . Under the organization existing to-day there might arise a conflict between the chief of operations of the general staff and the chief of the purchase, storage, and traffic division, the former insisting that certain supplies could be obtained as planned and the latter insisting that they could not be obtained in that quantity or of that particular type. Under the organization existing to-day their difficulty would be settled by the chief of staff. Under the organization I propose if there were a conflict between the general staff and the director of munitions, the secretary of war would settle the matter. I am anxious to take from the jurisdiction of the general staff all matters which are industrial in their nature."

The Chairman: "To speak frankly of this matter, this subcommittee is a little weary of the friction that exists between the bureaus and the staff on the one side and between the different bureaus themselves; and if we could get it straightened out in the law, prescribing certain general principles by which the bureaus would govern themselves, and the general staff govern itself, we would be happy."

Mr. Crowell: "Under the plan I have suggested there would be no friction between the bureaus and the general staff because they would nowhere come in contact. The friction between the bureaus themselves I think could be better handled by the method I have outlined; I do not think the general staff ought to meddle in matters of production under any circumstances."⁸⁹

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The plan finally adopted by Congress and embodied in the Army Act of 1920 was a compromise between Mr. Crowell's proposals and the plan for a consolidated supply bureau. The

⁸⁹ "Senate Hearings"; pp. 1769-1771.

offices of second assistant secretary of war and third assistant secretary of war were abolished and provision was made for an assistant secretary of war in charge of munitions at an annual salary of \$10,000. It is provided that this official shall supervise the procurement of all army supplies. "Under the direction of the secretary of war chiefs of branches of the army charged with the procurement of supplies for the army shall report directly to the assistant secretary of war regarding all matters of procurement. He shall cause to be manufactured and produced at the government arsenals or government-owned factories of the United States all such supplies or articles needed by the War Department as said arsenals or government-owned factories are capable of manufacturing or producing on an economical basis. . . . There shall be detailed to the office of the assistant secretary of war such number of officers and civilian employees as may be authorized by regulations approved by the secretary of war."

At the same time provision was made to consolidate procurement functions in large measure in the quartermaster corps. "The quartermaster-general, under the authority of the secretary of war, shall be charged with the purchase and procurement for the army of all supplies of standard manufacture and of all supplies common to two or more branches, but not with the purchase or procurement of special or technical articles to be used or issued exclusively by other supply departments; . . . with the storage and issue of supplies; . . . with the transportation of the army by land and water including the transportation of troops and supplies, with the furnishing of means of transportation of all classes and kinds acquired by the army . . . provided, that special and technical articles used or issued exclusively by other branches of the service may be purchased or procured with the approval of the assistant secretary of war by the branches using or issuing such articles, and the chief of each branch may be charged with the storage and issue of property pertaining thereto."

The provisions of the new act conferring on the assistant secretary of war statutory control over munitions were adversely criticized by Secretary Baker before the Senate Committee on Military Affairs. "I think it unfortunate that the sections as drawn with regard to the under-secretary give him a certain amount of independence of the secretary of war. The under-secretary ought to be, just as the chief of staff is, a subordinate of the secretary of war, to do what he is directed to do, and that direction ought to be elastic, so that the secretary of war can add to his functions or take away from his functions as the convenience of business and the talents of the two men justify." The secretary might be a lawyer; he would then want his under-secretary to be a business man who would take charge of the business work of the department; or the secretary himself might be a business man who would want to control personally that end of the work and who would want an under-secretary to handle legal matters. "It ought to be left open to the secretary of war to assign to the under-secretary such functions as he wants him to perform, and either diminish or increase the assignments as the successful operation of the department from time to time necessitates." He also thought there was a chance for divided responsibility which might result in trouble.

The Chairman (Senator Wadsworth): "But I think, on reading the language, you will find that the secretary of war in every instance is absolute master."

Secretary Baker: "Only to this extent: The under-secretary is to perform the statutory functions that are given him under regulations to be prescribed by the secretary of war. So it becomes a question of the secretary of war making such detailed regulations as practically amount to administration, or else the secretary has no function at all. . . . I do not think there would be any difficulty between the secretary of war and the under-secretary because as soon as the under-secretary failed to be in harmony with his chief he would of course be replaced; but I think that any senator or member of Congress or citizen ought to be able to go to the secretary of war to find the last resort in the War Department, and not be shown some statute which said that a part of the secretary of war's power had been conferred on somebody else,

with the responsibility that goes along with it. That is what this amounts to." ⁹⁰

In fact there are a number of provisions in the Army Act of 1920 which seem to aim at limiting the control of the secretary of war over the army and centralizing that control not indeed in the general staff, but in Congress. The first is the vesting of the under-secretary with statutory control over munitions. The second is the establishment of a war council. The third is the provision which authorizes Congress to call for a report from the general staff without the consent and over the head of the secretary of war.

The war council which the act creates is to consist of the secretary of war, the assistant secretary of war, the chief of staff, and the general of the army,⁹¹ and is required to hold periodical meetings for the consideration of military and supply problems. It is expressly provided that the secretary of war after considering the recommendations of the various members of the council shall determine finally the policy of the department; but the necessity of consulting the council which the act imposes on the secretary will inevitably operate to limit somewhat his freedom of discretion. As Secretary Baker put it: "I have a very strong sympathy with the statement of a

⁹⁰ "Testimony of the Hon. Newton D. Baker before Senate Committee on Military Affairs, Sixty-Sixth Congress, second session, January 21, 1920"; pp. 21-23.

⁹¹ This post was created for General Pershing by act of Congress approved September 3, 1919. (41 Statutes at Large, p. 283). The act revived the office of "General of the Armies of the United States," and authorized the President to appoint to it "a general officer who on foreign soil and during the recent war had been especially distinguished in the higher military command." Any provision of existing law which would enable any other officer to take rank over the holder of the office of "general" was repealed. (This provision was introduced to do away with the provision of the act of May 12, 1917 which gave the chief of staff precedence over all other officers of the army). No more than one appointment was to be made to the office of "General,"—i. e. on the termination of the incumbency of the first appointee, the office was to lapse.

famous general that war councils never fight. I object to you making the secretary of war listen to anybody that he does not want to hear. There might be things upon which a secretary of war had his mind made up, and if you put down a statutory provision that he has to sit down and listen while two men debate things that he does not want to hear, that seems to be an unnecessary provision.”⁹² In consequence of this criticism, the form of the provision as enacted was somewhat weakened from the shape in which it was originally drawn.

The other provision of the Army Act which I have mentioned as tending to curtail the authority of the secretary of war is that which requires the secretary to submit to Congress in connection with any proposed legislation the recommendations of the appropriate subdivision of the general staff. Obviously the effect of this provision is that in case of a disagreement between the secretary of war and some subordinate division of the general staff regarding legislation falling within its province, the general staff officers will be able to get their view before Congress and, as it were, try their controversy with their chief before a Congressional committee. Congress becomes the court of appeal in disputes between the general staff and the secretary of war. The War Department is divided and final control is vested in the legislative body.⁹³ Much is to be said for Secretary Baker's view that the War Department should speak to Congress as a unit through the secretary of war.

The effect of the Army Act is to strip the general staff of all purchase and supply functions. The act goes further and re-enacts expressly the provision of the National Defense Act denying to the general staff all administrative functions. Whatever may be said of the advisability of having the staff perform operating functions—and the opinion of both

⁹² *Ibid.*; p. 23.

⁹³ The origin of this provision is probably to be found in Secretary Baker's refusal to submit to Congress proposals for universal military training prepared by the general staff. See "Hearings before House Committee on Military Affairs, January 16, 1919"; pp. 26-35.

General Pershing⁹⁴ and General Goethals⁹⁵ is that it should not perform those functions — still the wisdom is questionable of attempting to draw a hard and fast line in a statute where no such hard and fast line can be drawn in fact. General Leonard Wood has well shown the difficulty: "Too many limitations on the function of the general staff may cause trouble. Take, for instance, the case of an ammunition-caisson. The question arises as to how many rounds of ammunition are to be carried in each caisson. The chief of ordnance may think that only a certain number should be carried. The artillery may feel that a larger number is necessary for the tactical purposes of the army. A case of this kind did actually arise, and the differences had to be coördinated. Yet on the surface it would appear that the issue was a mere administrative detail whereas it was nothing of the kind."⁹⁶

The attitude of Congress toward the general staff, since the war as before it, remains in general one of hostility. A responsible member of the House summarized the effect of the new legislation as follows: "Another thing this bill does is to reenact the provision of the National Defense Act that provides that the general staff will no longer serve as an operating force in the War Department. We eliminate them from the duties which they assumed during the war, not only to give advice on military matters and to prepare military plans, but they actually operated all of the bureaus of the War Department during the war, and in my opinion were responsible for the era of chaos, confusion, and extravagance that resulted from such domination. Under this bill we divorce absolutely the general staff from such operations and return them to their own field to offer advice and prepare plans."⁹⁷

⁹⁴ "House Hearings"; p. 1482.

⁹⁵ See above, p. 313.

⁹⁶ See "Senate Hearings"; p. 660. See also testimony of Colonel Palmer, *ibid.*; p. 1226.

⁹⁷ This is taken from the speech of the Hon. D. R. Anthony of Kansas, March 8, 1920, on introducing in the House of Representatives the bill which subsequently became the Army Act of 1920.

Such criticism is ungenerous as well as unfair. As General Goethals put it, the war produced a situation where something had to be done and somebody had to do it, and the general staff was the only body available. It is likely that the staff is not the best possible body to perform the functions which they performed during the war. Before the war there was no machinery at all for performing those functions. The Army Act of 1920 establishes new machinery which in the light of experience is probably in many points of view better adapted for the task than the general staff would be.⁹⁸

⁹⁸ The finance department is retained as a separate bureau of the army by the new Army Act.

CHAPTER IX

THE ARMY ACT OF 1920

I

WITH the conclusion of the armistice the attention of the country at once turned impatiently to the matter of demobilization, the popular desire being to get the men out of uniform as quickly as possible. In this unfavorable atmosphere, the War Department was confronted with the task not merely of shaping a permanent army policy for the coming years of peace, but more immediately of getting some makeshift policy adopted which in the meanwhile would not leave the country denuded of military defense. By the Stone Amendment of June 15, 1917,¹ it had been provided that all men serving under the Selective Service Act should be discharged within four months after the conclusion of peace; and by the Selective Service Act itself enlistments in the Regular Army and the Federalized National Guard were to expire on the termination of the emergency. It could not then be foreseen that many months would elapse before an official peace was signed, and the prospect was imminent that if legislation was not speedily passed the United States might find itself without any army at all.

Accordingly on January 16, 1919, a bill was introduced in the House of Representatives at the request of the administration² which Secretary Baker told the House Committee on Military Affairs was not to be taken as embodying a permanent

¹ 40 Statutes at Large, 217.

² "New York Times," June 17; p. 7, column 3.

policy.³ It must be admitted, however, that the bill bore the appearance of something more than a temporary makeshift.⁴ It was a short bill which authorized the continuance of the internal organization of the army as it had been developed during the war by making permanent so far as the army was concerned the powers which the President had exercised under the Overman Act; and it provided for a Regular Army with an enlisted strength of 509,909 enlisted men. Now 500,000 was the figure which the general staff had been recommending for the permanent size of the Regular Army ever since 1912; and the impression prevailed that the existing situation was being used as an opportunity to get this policy enacted into law. Mr. Baker, when asked by a member of the committee to explain why he recommended an army larger than the country had ever before had in time of peace, replied: "It is because of the future situation. We have no means of knowing what the military obligations of the United States will be after the declaration of peace. We do not know the extent to which we will be called upon to have an army, and therefore I regard the question of the size of the army as an entirely tentative determination. It may very well be that next year Congress will feel disposed to cut down the number from 500,000. It may very well be that Congress will be disposed to increase that number. But it is a situation in which we have to provide for a Regular Army, and being participants in the making of peace, which involves a disturbed state of the whole world, it seemed to us in our best judgment that 500,000 men for the present would enable us to meet any military obligations we might have in concert with others in reference to the effect of the peace treaty."⁵

There was much public interest as to whether the country as a result of the war would adopt a system of compulsory universal military training; but Mr. Baker refused at this time to

³ "Hearings on H. R. 14560, January 16, 1919"; p. 14.

⁴ See the text in *ibid.*; pp. 1 ff.

⁵ *Ibid.*; p. 17.

commit the administration to any definite attitude on the subject.⁶

Apparently the Military Affairs Committee decided against adopting Mr. Baker's bill;⁷ and it was thereupon dropped, and a decision was taken to make temporary provision for an army in the annual army appropriation bill. The figures recommended by Mr. Baker were written into the latter bill and as introduced in the House on February 10, 1919, it contained appropriations for the support of an army of 509,909 enlisted men for one year. For two weeks the bill was the subject of heated debate. The provision was badly drawn and was subject to misunderstanding on three points. (1) It was not clear whether the proposed army of 500,000 was to include or to be in addition to an army of 175,000 to be raised under the National Defense Act of 1916. (2) It was not clear whether the administration was authorized to maintain a force of 500,000 men throughout the entire year, or whether that figure was to represent the maximum permitted average, including the draft army during demobilization. (3) It was not clear how far the bill would reenact and continue in force the draft provisions of the Selective Service Act.⁸ The bill met with a generally unfavorable reception in the House. The idea that by the peace treaty the United States might be committed to foreign military engagements was not liked; and the professedly temporary character of the legislation was received with suspicion. "Did we not get along well enough with a standing army of 100,000 prior to the war?" asked one member.⁹ "The war has not added to our possessions. Is there any difficulty that prevents our saying to England, France and Italy, 'We are going to bring every one of our boys home at once and you must furnish the troops to police your own territory

⁶ *Ibid.*; p. 26.

⁷ See speech of Mr. Wise of Georgia, "Congressional Record," Sixty-Fifth Congress, third session; p. 3716.

⁸ "Congressional Record," Sixty-Fifth Congress, third session; pp. 3197-3244, particularly at pp. 3200-3207.

⁹ Mr. Wingo of Arkansas in *ibid.*; p. 3207.

of Europe?" "With what new menace are we confronted that threatens the safety of our seacoast and our insular possessions?" asked another member.¹⁰ "What war-cloud is brewing over the Panama Canal Zone or Porto Rico or the Philippines? Gentlemen, this is but the entering wedge for a permanent policy of a large standing army that the people of the United States have opposed [Applause] and to which I am unalterably opposed in time of peace." Arguments of a financial character were urged against the bill. "There never has been a time when such a plan was so unwise. The bill authorizes an expenditure of more than \$1,000,000,000 for the support of the army for the fiscal year beginning June 30, 1919, almost a year after the termination of the war. A year's expenditure for the support of the army for any fiscal year before the war was never much over \$100,000,000. How can we justify such a change at this time when the only enemy constituting a serious menace to this nation has been humiliated and crushed and when we are trying to establish universal peace?"¹¹ The general feeling toward the bill was perhaps best expressed by Mr. Quin of Mississippi:¹² "Gentlemen, I have looked over the signs of the zodiac, and I have observed that the season is propitious for altering this bill. I think the number of the army should be cut down from 500,000 to 175,000 men. [Applause] What is the object of this big army? Do you believe that 500,000 soldiers and 30,000 officers could save us? With the experience that we have had, do you not know that an army could be raised in a very short while if we should be suddenly attacked from any quarter? Do you not know that it has been demonstrated that all this talk is nonsense that you have to have a great standing army in order to be prepared to fight a war successfully? All of that idea has passed away like mists before the sun. Yet we have it urgently insisted upon us that this Government should fasten upon itself this

¹⁰ Mr. Bankhead of Alabama, *ibid.*; p. 3290.

¹¹ Mr. Steagall in *ibid.*; p. 3292.

¹² *Ibid.*; p. 3287.

great ball and chain to drag along and hold us down. In the name of Heaven, let us get those soldiers that are now in the army back home in civil pursuits—let us have those men back on the farms and in the workshops. Across the seas there are still two millions of men. . . . The bob-whites in the corn-field are calling for the boys back on the farm, and here we are proposing to keep two millions of men standing almost in idleness, drawing salaries and wasting money, and to have 500,000 more in this country.”

When it became apparent that the appropriation bill could not possibly pass in the few remaining days of the session, steps were hurriedly taken to carry through a bill which had been earlier introduced in the Senate by Mr. Chamberlain,¹³ for permitting the resumption of enlistments under the National Defense Act. This bill would at least make possible the recruiting of a stop-gap army of 175,000 men. The bill was taken up by the House on February 18 and amended¹⁴ to provide that the period of enlistment should be for one year instead of the three years with the colors and four with the reserves which had been the period provided by the National Defense Act. This provision was further altered by an amendment in the Senate which fixed one-third of the enlistments at one year and two-thirds at three years, with power in the secretary of war to discharge in his discretion men enlisted for three years at the end of the first year of their service.¹⁵ In this form the bill passed and was signed by the President on February 28.¹⁶

This was the situation when the Sixty-Fifth Congress terminated on March 3, 1919. When its successor met in extra session in June, the administration had as yet formulated no proposals for a permanent army policy. The first task was to carry through an appropriation bill for the fiscal year about to begin; and with the introduction of the bill the debate

¹³ On January 3. *Ibid.*; p. 979.

¹⁴ *Ibid.*; p. 3725.

¹⁵ *Ibid.*; p. 4041.

¹⁶ 40 Statutes at Large; p. 1211.

on the size of the army reopened. The bill was reported by Mr. Kahn from the Military Affairs Committee of the House on June 9 containing appropriations for an army of 400,000. In his speech he argued that had America possessed such an army in 1917, we might have been able to keep out of the war. "In 1916," he said, "when Congress was considering the National Defense Act, I offered an amendment which authorized the President to increase our Regular Army to 250,000 men. That amendment was voted down. We have incurred indebtedness to the extent of \$34,000,000,000. I maintain that if we had been prepared on the thirty-first of January, 1917, if Congress had voted for my amendment to increase the army to 250,000 men, this cost of life and blood and treasure would have been saved the American people. The question that confronts us is this: Will we in the future run along as we have been running in the past, drifting, waiting until something happens before we prepare our country for possible emergencies? No nation is the sole arbiter of its own destinies."¹⁷ The assertion was sharply challenged that the existence of a larger Regular Army would have kept us out of the war;¹⁸ and again the argument was advanced that under the cloak of an appropriation bill the general staff was simply seeking to get an entering wedge for a permanent army of 500,000.¹⁹ The upshot was that on motion of Mr. La Guardia of New York the House amended the bill so as to provide maintenance for the year for an army of only 300,000;²⁰ and in this shape the bill passed the House.²¹ When it went to the Senate, the original appropriation for an army of 400,000 was restored.²² "I think it a lack of intelligence on our part, a lack of vision, to put it mildly,

¹⁷ "Congressional Record," Sixty-Sixth Congress, first session; p. 832.

¹⁸ Mr. Fields of Kentucky, *ibid.*; p. 869.

¹⁹ Mr. La Guardia of New York, *ibid.*; p. 998.

²⁰ On June 11. *Ibid.*; p. 1003.

²¹ June 13. "New York Times," June 14; p. 7, column 4.

²² "New York Times," June 24; p. 17, column 4.

to reduce our army under present circumstances," said Senator Hoke Smith of Georgia. "At least we ought to keep an army of 400,000 for the next twelve months. We know the situation in the Orient, with Japan taking over 40,000,000 Chinamen and an intense feeling existing there. When conditions change we may come to a permanent army of 240,000 men or less, but to-day the world is in a state of disturbance. Germany has signed the terms of peace, but Austria has not."²³ The bill was sent to conference, where a compromise was reached, and when the bill finally became law it carried appropriations for 325,000 men for the fiscal year 1919-20.²⁴

In the course of these debates the whole subject of the size of the army was opened up and it became apparent that any permanent determination of that question depended first of all on what policy was to be finally adopted with regard to two other matters—universal military training and the position of the State militia. A large Regular Army was opposed not merely by those who were against all heavy expenditures for military purposes but also by those among the advocates of preparedness themselves who felt that a system of universal military training for civilians would be a more effective and democratic measure of defense than a professional army. "In my opinion," said Mr. Kahn while arguing for a year's appropriation for an army of 400,000, "a country like this could well get along with an army of 100,000 if they were used as a training cadre for the universal training of American youths between the ages of eighteen and nineteen. I do not approve now and never will approve in this country a standing army of 400,000."²⁵ "If you have an army of 400,000, with 22,000 officers," said Mr. Quin, "they are going to keep down the further organization of the National Guard

²³ July 1. "Congressional Record," Sixty-Sixth Congress, first session; p. 2186.

²⁴ "New York Times," July 2; p. 13, column 1.

²⁵ "Congressional Record," Sixty-Sixth Congress, first session; p. 867.

in this country.”²⁶ These are the two lines of thought which run through all the subsequent debates.

2

On August 3 Secretary Baker sent to Congress a bill²⁷ embodying the permanent army policy which had finally been determined on by the general staff and the administration.²⁸ This bill, which will hereafter be referred to the Baker-March bill, consisted of two parts: The first part was simply the bill providing for an army of 509,000 which Mr. Baker had presented in January; the second part provided for three months of universal compulsory military training for youths between the ages of eighteen and nineteen. About the same time a number of other bills dealing with various aspects of army reorganization were introduced in both houses; and the Senate and House Committees on Military Affairs thereupon instituted a series of hearings which continued for more than three months and went exhaustively into the whole subject. Virtually every person of importance who had any special knowledge or interest in military affairs appeared and was questioned; and the result is a valuable record of the best opinion of the country on military policy as formulated in the light of war experience.²⁹

The Baker-March bill was framed on the assumption that

²⁶ *Ibid.*; p. 999.

²⁷ Sixty-Sixth Congress, first session, S. 2715; H. R. 8287.

²⁸ In its final form the bill was “licked into shape by a committee consisting of myself [General March], General Goethals, the head of the war plan division, the head of the operations division, the head of the military intelligence, the heads of the different divisions of the general staff, which sat nights after the preliminary work had been done by subordinates down below: and after we got through that, we had several hearings with Mr. Baker and Secretary Crowell and met in his office for two or three nights.” General March in “Senate Hearings,” August 8, 1919; p. 84.

²⁹ The hearings before the Senate committee will hereafter be referred to as “Senate Hearings,” those before the House committee as “House Hearings.”

the United States should be in a position to place one field army, or 1,250,000 men, in the field at once upon the outbreak of an emergency. This required that all the units necessary to such an army should be kept in existence with a requisite supply of officers in time of peace. But they would exist in "skeletonized" form, their personnel reduced to the lowest figure capable of expanding speedily on need to full war strength. "We are recommending to Congress," said General March, "to keep one field army with complete units, and to cut down the personnel of all the units in such proportion that we will have the minimum number of men which will permit us to function and still keep up all the organizations."³⁰ On the other hand experience had shown that there was danger in carrying the skeletonizing process too far; it resulted in swamping each unit with green recruits when the need arose to expand it rapidly to war strength. Under the National Defense Act infantry companies had been kept at a peace strength of 100 men; it was now felt that 138 was the lowest number at which such a company could be maintained in peace to render it efficient on the outbreak of war. The figure of 509,000 men was arrived at by computation as the smallest regular force capable of promptly expanding into an efficient field army of 1,250,000. This standing field army was to be divided into twenty-one divisions, of which eighteen were to be maintained within the United States and three in the outlying possessions.³¹ It was thought that this distribution would make possible in a way not theretofore possible the training of troops in bodies of a size somewhat approximating those which participate in actual warfare. "Prior to this war," said General March,³² "the American army was stationed in small units at posts all over the United States. As a result, officers who had to command brigades and divisions were conspicuous for their lack of experience in handling

³⁰ "House Hearings," September 4, 1919; p. 31.

³¹ General March, "Senate Hearings," August 7, 1919; p. 58.

³² "House Hearings," September 4, 1919; p. 38.

large numbers of men like that. The organization of a corps and an army was unknown. The greatest handicap we had at the start of this war was our lack of officers who had had experience in commanding these large units. They had to be trained. If we had sixteen divisional camps, such as we propose, where these large units would be located and trained with a major-general in command, the commanding officer of such a unit would have the same sort of a command there that he would have in time of war, with his staff functioning with reference to the thousands of men in these units exactly as his staff would function in time of war. The training of the United States army will be in divisional units instead of its training being in small units all scattered around over the country. That is one of the most important lessons that we have learned as a result of our experience in this war, and we are trying to keep that lesson, trying to keep the results of that experience for all time."

The justification of the Baker-March bill depended ultimately on the validity of its fundamental assumption, the need of the country to keep an army of 1,250,000 men in readiness. The point of view of the War Department was explained by both Secretary Baker and General March. "The War Department," said the latter, "in considering what recommendation it should make, finds itself confronting a situation throughout the world of absolute unrest, unrest at home and unrest abroad. There is actual fighting going on everywhere and the War Department under those conditions did not feel that it could afford to recommend an army of less than 500,000. As far as other nations are concerned, my recollection is that the estimates for the British army submitted by Winston Churchill the other day on the floor of the House of Commons called for an army of something like 950,000 men, although their strength before the war was something like 250,000. It is a plain fact that all nations during this period of unrest are deliberately preparing themselves for

any emergency that may arise. France, Italy, and all our allies have substantial forces. Fighting is now going on in Europe in twenty-seven places and every nation is taking the matter seriously. We propose if possible to be able to meet any emergency that may arise. The psychology of the situation is just this: During the last year and a half, in order to get through with this war, Congress has spent \$14,000,000,000 for the army. Five per cent. on that principal would have carried the expense of the entire military establishment for the last ten years. If it is supposed that the War Department wants to make preparations for immediate war, that is not the impelling thing. But this expenditure is a fair insurance on what the country will demand of us in time of war. When the war broke out, if we had been in the position we should have been in, Germany would not have dared to have brought us into the war at all.”³³

Secretary Baker placed the question of the size of the army in the light of the relation between the League of Nations and the prospect of disarmament. “I do not wish,” he said, “to inject into this discussion any controversial or disputed matter. It is perfectly well known, however, that one of the provisions of the proposed League of Nations looks to a gradual disarmament by agreement among nations, and it is entirely possible that any armament which Congress might now think necessary to provide might, when the League of Nations has brought about a harmonious arrangement among the several constituent nations, rapidly reduce the total permanent force the United States would be obliged to have. My belief is that if the league of nations is not formed, 500,000 is a child’s-play army compared with what the United States will have to have unless some arrangement is made by which international disputes will be amicably adjusted, and unless that happens I think the United States and every other country will have to arm to the teeth, and 500,000 will be a

³³ “House Hearings,” September 4, 1919; pp. 32-35.

baby army compared with what we will need to keep our position in the world without a league or some substitute for it." ³⁴

The Baker-March bill contained no reference to the National Guard, merely leaving in effect the provisions of the National Defense Act. The omission led to considerable discussion and to the suspicion on the part of certain members of Congress that it was the intention of the War Department to abandon the Guard as an element in national military organization.³⁵ This intention General March denied; but certainly the emphasis of the bill, so far as civilian reserves of military strength were concerned, was on the recruits who would be brought into the Regular Army in time of war from the body of citizens who had been trained under the universal military training features of the bill. "If we call out a field army of 1,250,000 men," he said, "for defense against another nation, or for offense, the National Guard units could be utilized as guardians for use in their States, while these other men, these Regular Army men, plus the men who have had universal military training, could be sent abroad." ³⁶

3

The question of universal military training had been before the country ever since the preparedness agitation of 1915-16 and an elaborate plan for such training had been worked out by the general staff and presented to Congress by Secretary Baker without comment in March, 1917.³⁷ The fundamental idea behind the policy now proposed was that it would provide the greatest possible military preparedness for the country while avoiding the objections to which a large standing army was open on the ground of the militaristic tendencies

³⁴ "House Hearings," September 23, 1919; p. 1770.

³⁵ "House Hearings"; pp. 163 ff.

³⁶ "Senate Hearings"; p. 46.

³⁷ "Senate Hearings"; p. 1173.

regarded as inherent in the latter. As General Scott had put it in 1916, "Universal military training has been the cornerstone upon which has been built every republic in the history of the world."³⁸ The issue was presented as one between a large standing army and a citizen army; and to enable full reliance to be safely placed on a citizen army, it was urged as essential that the body of citizens should have military training. Colonel Palmer of the general staff restated the argument to the Senate committee during the hearings we are now considering.³⁹ "The form of the military institutions of a country is very largely a political question and depends on a consideration of national institutions," he said. "There are two types of army through which man-power may be developed. One is the professional or standing army type. . . . This is the system of Continental Europe. . . . It produces a highly efficient military system but it is open to serious political objections. In such a country, intelligent opinion as to military policy is largely concentrated in a professional class. Under such a system the people themselves are competent to exert only a limited intelligent influence on the issues of war and peace. As military leadership and control are concentrated in the personnel of the professional military establishment, that establishment must be relatively expensive and of relatively large dimensions in time of peace. Under such a system only the brawn of the people is prepared for war, there being no adequate provision for developing the latent military leadership and genius of the people as a whole. The evils under this system may be summarized under the term militarism. . . . The second type of military institution is a citizen army, formed and organized in peace with full opportunity for competent citizen soldiers to rise by successive steps to any rank for which they can definitely qualify and with special facilities for such qualification and advancement as an essential characteristic of the peace estab-

³⁸ War Department, "Annual Report," 1916; Vol. 1, p. 160.

³⁹ "Senate Hearings"; p. 1175.

lishment. An army of this type has among others the following advantages: Military leadership is not exclusively concentrated in the professional soldier class. An intelligent public opinion is provided as the basis for the determination of public questions relating to military affairs. As the war army is identical with the organized citizen army, there is a specific force always organized, always at war strength and always prepared to function under tested mobilization plans. The minimum number of soldiers is maintained in active service in time of peace and so the cost of an effective war establishment under such a system is reduced to a minimum. And finally, as all our great wars have been fought in the main by citizen armies, the proposal for an organized citizen army in time of peace is merely a proposal for perfecting a traditional national institution to meet modern requirements which no longer permit extemporization after the outbreak of war."

It was urged also that a system of universal training would result in certain by-products highly beneficial to the civil life of the nation. It would improve the physical health of the men, stiffen their sense of the responsibilities of citizenship, and give them opportunities to better their education. It was stated that there had been an average gain of twelve pounds in the weight of the men in the service during the war. "Men came into the camps through the draft," said General March, "undersized, with their chests undeveloped, men who were just able to get through the physical examinations, men who knew nothing at all of personal hygiene and sanitation or cleanliness. Those men were cured and taken care of. They were turned out better men physically and morally; they had a better vision. I was told in a number of places they had a different sense of duty, that the men who had jobs came back to their jobs and worked on them instead of shirking."⁴⁰ The advantages of training from this point of view were fully

⁴⁰ "Senate Hearings"; p. 41.

urged by General Leonard Wood.⁴¹ "I do not believe," he said, "that people understand to what an extent a man's economic efficiency and citizenship value is enhanced by military training. The man comes out of the training-camp, with rare exceptions, better physically. He comes out with a better coördinated mind and muscle; he has learned habits of promptness, personal neatness, respect for authority, respect for law, respect for the rights of other people; he has learned to do things when told and as told, and to do them with promptness and exactness. His real efficiency as an industrial force has been vastly increased. . . . You have made him a straight-thinking, prompt-acting man—in short a better working force. Above all and beyond this, you have made him through association one who knows the various elements which go to make up our population, one who has learned to value men at their true worth, one in whom the narrow prejudices of locality, religion, environment have been largely ironed out. You have made him a better American. In Kansas I had the opportunity to try out for a short time a plan for education in addition to pure military training. Camp Funston happened to be near the Kansas State Agricultural College, a large establishment with ample shops and the usual university curriculum. The university opened its shops to our men and we put some hundreds in the machine-shops. It also opened its classes and filled many of them with men from camp. Lectures were given on various phases of agriculture such as soil-fertilization, crop-raising, etc. They also sent professors to camp who gave lectures on critical periods of American history, economics, industrial questions; in other words, it was a short but very interesting and successful attempt to show what could be done during a period of training outside of and in addition to the purely military work."^{41a}

⁴¹ "Senate Hearings"; p. 634.

^{41a} General Leonard Wood's opinions on the subject of education are interesting in view of the fact that he has subsequently been elected provost of the University of Pennsylvania.

. . . There is another important benefit which comes from assembling the men in camp; that is the cleaning up of the men who suffer from vice diseases and returning them to civil life no longer menaces to their fellow-men. Then again there were many men who had minor physical defects which were cured by the treatment and exercises given them in camp. They were sent back to civil life much more efficient industrial and economic factors than they were before. Those who did not speak English were taught English, and a systematic attempt was made to Americanize them, to impress upon them the spirit of our institutions, and to prepare them to take up with added vigor and intelligence the duties of an American citizen in time of peace." General Pershing saw another advantage in universal military training. "We are now confronted," he said, "with serious social problems, resulting from the presence of large masses of ignorant foreigners in our midst who are highly susceptible to the anarchistic or bolshevik proposals of numerous agitators now at work. The influence of the public schools is insufficient to weld this portion of our population to the body of real American citizens due to the fact that these foreigners usually collect in such large groups that few truly American children find a place in the public schools in such neighborhoods. Universal military training is the only means I see available for educating this foreign element in the real meaning of the democracy of our Government and its institutions, and for developing them into good citizens before they fall under the sway of dangerous agitators and become a real menace to the country."⁴²

It was urged that to withdraw a large number of young men from industrial work for a brief period of training would not seriously cripple the industry of the nation or unduly deplete the labor market because of the large number of youths of that age who in any event would still be at school or would at least not yet have got a settled occupation.⁴³

⁴² "Senate Hearings"; p. 1675.

⁴³ "Senate Hearings"; p. 1589.

Finally, it was argued that the time was peculiarly promising for the successful establishment of a policy of training. "At this moment," said Senator New, "the country is in condition to develop such a policy at less expense and to better advantage than ever before. The cantonments necessary are already in existence and at comparatively small expense may be made to answer our needs for several years. We have great surplus stores of clothing, arms, and ammunition, much of which will deteriorate and become worthless within a short time and be a total loss if not used, and it might better be employed to a useful purpose than permitted to go to waste."⁴⁴ Public opinion, also, under the influence of the war, was more keenly interested in the military needs of the country than would be the case after an interval of peace. "The establishment of such a system now," said Colonel Palmer, "would be simple. Five or six years from now it would not be so easy. If it is started now, what it would amount to would be perpetuating the army we have created in this war. It would be converting an immense unproductive outlay into a permanent investment so that the outlay for this war would to a very large extent be available for a war a hundred years from now. For example if at the end of the Civil War—we then had a trained citizen army on both sides—if that army at the close of the Civil War, instead of being disbanded, had assumed a reserve obligation for two or three years, and then had gradually been replaced by each year's crop of young men, we would have had a very economical military system that would have found us prepared for the last war."⁴⁵

Among those, however, who advocated a system of universal military training there was considerable difference of opinion as to the details of the proper plan to be adopted. Perhaps the most typical views were those embodied in the Kahn-

⁴⁴ "Congressional Record," Sixty-Fifth Congress, third session; p. 2419 (January 31, 1919).

⁴⁵ "Senate Hearings"; p. 1187.

Chamberlain bill,⁴⁶ which was under consideration in committee at the same time as the Baker-March bill. The latter bill departed in a number of particulars from the orthodox views of training advocates.

The period of training prescribed by the Baker-March bill was only three months, to be taken by all the young men of the country during the calendar year in which they should reach the age of nineteen. Certain persons, such as physical defectives and youths actually engaged as mariners or who had already served in the army and been honorably discharged, were totally exempted from having to take the training; for other causes such as support of dependents and temporary physical disability the training period might be deferred until the removal of the disability. In case, however, the deferment should continue to the age of twenty-four, the training liability was then to terminate. These exemptions and deferments together with the registration of men subject to training were to be administered through a system of local and district boards virtually identical in character with the draft boards which had administered the Selective Service Act during the war. After the completion of his three months of training the youth was to be discharged from all further liability whatever for military service in time of peace. He was not to be enrolled in a reserve or required to report for further training at intervals, but for two years was subject to be called on to file written reports. On the declaration of a war by Congress the Selective Service Act of May 18, 1917, was to come automatically into effect. The operation of the act would be facilitated by the fact that the system of administrative boards would be already in existence and that the youths on their discharge from training would have been classified into groups in the order of their liability for service.⁴⁷

The program of training which the War Department had

⁴⁶ Sixty-Sixth Congress, first session, S. 2691: "Senate Hearings"; pp. 8-16 for text.

⁴⁷ See Senate Bill 2715, Sections 39-52 inclusive; text in "Senate Hearings"; pp. 24-26.

planned to carry out under the provisions of the bill was linked up with its program for a standing army which has already been discussed. We have seen that it was proposed to maintain eighteen combat divisions of regulars at cantonments in the United States. Each of these divisions was to be skeletonized down to about 15,000 or 16,000 regular troops. The full war strength of such a division would be approximately 27,000. This deficiency of 11,000 men in the standing strength of the divisions was to be at all times made up by young men undergoing training. These men would thus have an opportunity of getting their training as members of organizations more than two-thirds of which were professional troops.⁴⁸ About 200,000 youths could thus be in training at the same time. As the training period was to last only three months, it would be possible to train three batches of men, or 600,000 in all, during the nine months of the year available for training purposes. It was estimated that the number of men who yearly reach the age of nineteen in this country is about 750,000. Calculating that 100,000 of these would be unavailable for training on various grounds, 650,000 would be left to require accommodations. Many of these would desire to be trained in the coast artillery or other specialized services and would be provided for elsewhere than at the cantonments. The proposed arrangement would therefore provide accommodations for training the entire annual quota of young men of nineteen.

The Baker-March proposals for training were criticized on three grounds: (1) because the period of training was, it was alleged, too short; (2) because no provision was made for organizing into a reserve force the men who had graduated from training; (3) because of the large army of regulars which was contemplated as an adjunct to the training proposals.

The experience of the war worked a great alteration in the ideas of military men as to the length of the training period necessary to make a good soldier. In his annual report for 1916 General Scott had spoken of two years as the proper

⁴⁸ "Senate Hearings"; p. 40.

period. 'The board which was appointed to consider the matter when the Baker-March bill was being drafted had at first recommended a training period of eleven months. Afterwards they altered this recommendation to seven months.⁴⁹ But General March was willing to recommend a three months' period as sufficient. He explained his views as follows:

"My own belief, and one which has been accepted is this: That any form of universal training to be accepted by Congress should be one which should create as little disturbance in the body politic as possible. If it is possible to get a length of time which would give as much intensive training to the men as they had in this war, at the same time not taking them away from their occupations more than necessary, then I think we would have an ideal solution. Now the three months' period adjusts itself to almost all occupations. The college boy of nineteen has a summer vacation for practically three months, and we fix the time for him to go into training during those months, and not affect his education. With a man down South who has a cotton crop to get in, his period of training could be fixed when he was not working on his crop. The man who was gathering the wheat crop would have his time fixed when he would not be working on his wheat crop. In other words, it fixes the time of year best suited to all occupations so that men will be taken away from their business with just as little disturbance as possible in their daily work. As a general proposition, it would mean that the recruits from Minnesota would serve during one three-months' period and those from Alabama during another. It would lead to working out some system of that kind. . . ."

Senator New: "I would like to ask you if it is the experience of the heads of the army that a three months' training period is sufficient?"

General March: "That brings up a very difficult question, and one which we had before us and considered very thoroughly. It can be stated frankly from the very beginning that if more time could be given better results would be obtained. But the point of the matter is that we in fact threw into the field to fight for our country, to actually fight the Germans, men who had only three months' training and they got away with it. It is useless for us to say, when we have done that, that we cannot do it again. If we have got to keep the men eleven months to get the same results, that means that the instructors are poor, that the men are not getting the same training that they did get."

⁴⁹ "Senate Hearings"; p. 38.

Senator Chamberlain: "But the cost of life is bound to be greater when they have had so short training?"

General March: "That is bound to be. The question is of getting the proper combination, and we believe that we can do it with a three months' combination, instead of six, seven, or nine months. You can get a large percentage of your 650,000 men who will not be disturbed at all in their regular daily work. We have turned out our soldiers in three months of intensified training during the war. We have actually done it. It is not theory. We can do it, and the men can keep on with their education and their work. In the old days in the Regular Army, we used to talk about it taking two years to make a soldier, but that is all gone now."⁵⁰

On the other hand, a large majority of the army officers who were examined by the committees regarded three months as too short a period, and most of them agreed in recommending a training period of six months. Of this number was General Wood. "The provision in the bill for three months' training is too short," he said. "I would recommend six months, and combined with it a certain amount of industrial training. We can do a great deal in three months with the stimulus of war upon us, but you cannot in time of peace turn out effective soldiers in three months; to send soldiers to war with three months' training is to double your dead. Working under the most intensive methods, and under the stimulus of war, troops should have this period of training. We can turn out men in a little shorter time, but the gain in time would be paid for in lives. . . . Under the stimulus of war we can do more in four months than we can do in peace in six months because every man feels that he is about to use the weapons with which he is training; that he is working to make himself more efficient, working so that he may have a better chance to come back, a better chance to live through. Under these conditions the men will stand harder driving than they will in time of peace, and they absorb and assimilate their instruction much

⁵⁰ "Senate Hearings"; pp. 39-41. General Pershing stated that the average training of American troops who served in the war was about eleven months. *Ibid.*; p. 1596.

more rapidly.”⁵¹ He thought, however, that a six months’ training period was ample. “Two or three years ago six months was looked upon as a ridiculously short time. To-day I think the experience of the war indicates it is a rational and reasonable period.” General Pershing agreed. “I should prefer,” he said, “to see the training period made six months. You can do so much more relatively in six months than you can do in three. If men were trained only three months you would have to do a lot of training after war was declared before these men would be ready to go into battle.”⁵²

The Kahn-Chamberlain bill, in contrast with the Baker-March bill, provided that the training period should be six months and that the young men who had undergone training for that period should be organized into a reserve army. The members of this reserve were to be organized into proper military organizations and for five years were to be subject to military service for additional training with their respective organizations for not exceeding three weeks in any one year and not exceeding nine weeks during the entire five years. Some such scheme as this was felt by many to be essential to the adequate establishment of a citizen army which could be depended upon; and it was considered a defect in the Baker-March bill that it failed to make provision for such an organized reserve. This was General Wood’s view.⁵³ The matter was most fully gone into by Colonel John McA. Palmer of the general staff. “The War Department bill,” he said, “does not provide for an organized citizen army.”⁵⁴ . . . In my opinion, the main feature of the military establishment of the United States should be a trained citizen army, organized territorially in divisions, army corps, and field armies in such a manner as to permit immediate mobilization in the event of an emergency. In the initial organization of this force the charter members

⁵¹ “Senate Hearings”; pp. 626 ff.

⁵² “House Hearings”; p. 1446. See also statements of former Secretary Stimson, “Senate Hearings”; p. 1242.

⁵³ “Senate Hearings,” p. 629.

⁵⁴ *Ibid.*; p. 1177.

should be those veterans of the great war who volunteer to enter a unit of the citizen army whose territorial allocation includes their place of residence. This force should be perpetuated by universal military training. Every young man should undergo military training for not less than six months and after such training he should be enrolled in an organization of the citizen army and should be a member thereof for five years, after which he should pass to the unorganized reserve. . . . The organized citizen army should be mobilized for inspection and team training for a short period of about two weeks each year. . . . All private soldiers who are graduates of the training system should be required to attend at least two annual mobilizations during their period of prescribed membership in the organized citizen army. . . . In order to provide for the necessary continuous administration of the organized citizen army in the intervals between annual mobilizations, each unit of the organized citizen army should be provided with a small skeleton staff of officers and enlisted men detailed from the Regular Army.”⁵⁵ This skeletonized force General Wood, who advocated the same fundamental plan as Colonel Palmer, thought should be about 3500 men for each training-cantonment.⁵⁶ Colonel Palmer went on to explain his plan as follows: “With sixteen training-centers located with proper reference to the distribution of military population, each such training-center should generate and maintain the personnel for an army corps of two or three divisions. The commander of this army corps, provided with a proper staff, should command the army corps, and should be responsible for all military activities within his corps area. In the initial organization of each army corps, its component units should be given the designation of previously existing local military units having historic records in former wars, in so far as this can be done without defeating the primary objects of correct military organization and the localization of homogeneous tactical units. Upon mobilization of the army

⁵⁵ “Senate Hearings,” pp. 1180 ff.

⁵⁶ *Ibid.*; p. 629.

corps in war, the training center will continue its training function with the view of maintaining the supply of trained replacement. If the period of membership in the organized citizen army be fixed at five years, each corps area will be able immediately to mobilize a complete army corps at full strength and to fill its replacement depots with trained replacements, and will have sufficient surplus strength in trained officers and men to form such new and unforeseen organizations as any particular military situation may require even after necessary exemptions for war industries have been determined. The corps area with its territorial units and its training center thus becomes a continuously functioning machine through which, if necessary, the entire man-power of the nation can be mobilized promptly, effectively, and economically."⁵⁷

In short there was a fundamental difference between the plan underlying the Baker-March bill and the one embodied in the Kahn-Chamberlain bill and supported by such advocates of civilian training as Colonel Palmer. The Baker-March bill provided for the training of civilians, but it released them at once on the conclusion of their training. It made no provision for an organized citizen army. It imposed no military obligation in time of peace upon citizens. All that it did was to provide a brief period of training for the men from whom an army would be built up on the outbreak of an emergency by means of the selective draft. As General March put it, the bill provided for universal compulsory training but not for universal compulsory service except in war-time. The Kahn-Chamberlain bill and the plan suggested by Colonel Palmer on the other hand provided for an organized citizen army in time of peace. Not merely were the youths of the country to be given a course of military training but they were to become members of military organizations and remain such for five years. During that period they were to form part of the military establishment of the country and were to be called together at intervals for training and inspection.

⁵⁷ "Senate Hearings"; p. 1182.

This difference between the two plans resulted in assigning different places under them to the Regular Army. Under the Baker-March plan, with no organized civilian army in existence and capable of rapid mobilization, it was necessary to maintain a larger Regular Army in readiness for an emergency. Hence the proposal to keep up a standing army of 509,000 men. On the other hand Colonel Palmer and General Wood and other advocates of an organized civilian force felt that if their plan was adopted a very much smaller army of regulars would be adequate. As General Wood put it: "I can see no use for an army of more than 500,000 unless it is proposed to keep large forces in Europe.⁵⁸ . . . I can find no reason for recommending an army whose strength will be in excess of 225,000 men or at most 250,000.⁵⁹ . . . Our trained civilians should be put into reserve organizations fully officered and with adequate supplies, arms, and equipment of all kinds held ready for them. Once this general system is in force, our Regular Army can be still further reduced. Any Regular Army which we may decide upon will be only a small fraction of what will be needed in case of a great war.⁶⁰ . . . I would build up reserve units as fast as our reserves of trained men are built up. One way would be to have in this country a certain number of divisions of regulars, maintained at near war strength, divisions we will say of twenty to twenty-two thousand men. I should like to see at least three such divisions maintained in the United States, one on the Pacific coast, one in the Middle West, and one on the Atlantic, but I should prefer to see five. If we had five, two should be on the Pacific, one in the Middle West, and two on the Atlantic, and with training areas large enough to make it possible to bring to these areas the draft quota for that divisional area each year. The other divisional training areas would be occupied only by training cadres. I think at each of these

⁵⁸ "Senate Hearings"; p. 626.

⁵⁹ *Ibid.*; p. 620.

⁶⁰ *Ibid.*; p. 622.

other training areas, which I presume would be the present cantonments, we should only maintain a training cadre of about 4500 or 3500 men. To these areas will come the men from that section of the country each year to be trained. Generally speaking, there will be more than enough men for a division. The policy should be to train a division at each area; and when it is demobilized at the end of the training period the men should be kept track of. They should realize that they are definitely assigned to their division; that they will report to it in their old positions and organizations in case they are called to the colors. . . . If this policy is carried out, we should have, based upon each training area, a number of divisions. In case of a general call to the colors, we should be able to call the recently trained divisions from each divisional area, or a number of divisions, as might be required. In other words, these training areas would become military rendezvous for a certain number of divisions. . . . If we attain this condition of efficiency, we shall be as secure as any nation can be in peace, and shall need no large permanent army of regulars.”⁶¹

Colonel Palmer's views were similar. “The total number of trained officers and men required for the purposes I have indicated,” he said, “will be approximately 21,000 officers and 280,000 enlisted men. All of these need not be regulars. . . . But while the number of citizen soldiers so employed will tend to reduce the number of professional soldiers required, the actual number cannot be predicted in advance and can only be determined by experience. It may be said, however, that the enlisted strength of the Regular Army after the citizen army is fully organized will not be greater than 280,000 and will probably prove to be considerably less.”⁶²

In short the Baker-March plan was a sort of compromise—a half-way measure between a policy of main reliance on a standing army and a policy of developing a civilian army by

⁶¹ *Ibid.*; p. 629.

⁶² *Ibid.*; p. 1188.

universal training. It provided for universal training but for no civilian army, and the short period of training it contemplated was dictated rather by political and industrial considerations than by the demands of military efficiency. To make up for those defects, it made provision for the maintenance of what was admitted to be an unusually large standing army. In fact Colonel Palmer was willing to say that the military policy of the Baker-March bill was not of the democratic civilian army type at all, but rather of the European standing army type. Having elaborated the difference between these two types of policy in a passage already quoted,⁶³ he went on to say: "I consider that the War Department bill proposes a military institution of the standing army type. It relies essentially on a large Regular Army and proposes universal military training primarily as a means of providing men to fill the lower ranks of that army on the outbreak of war. It does not provide for an organized citizen army and does not provide sufficient training to prepare the young men of the country for membership in such a force. . . . In my opinion the War Department bill proposes incomplete preparedness at excessive cost and under forms that are not in harmony with the genius of American institutions."⁶⁴

There was a wide-spread feeling that a military policy which placed main dependence on a standing army was not merely at variance with democratic institutions, but that even from the point of view of military efficiency it was an anachronism. This view was set forth by General O'Ryan, a distinguished National Guard officer who commanded the Twenty-Seventh Division in France. General O'Ryan said: "A regular professional army is an obsolete institution, a survival of a former period when wars were largely waged by mercenary troops. As a system of defense, it has been abandoned by all the great powers except Great Britain and the United

⁶³ Above; p. 335.

⁶⁴ "Senate Hearings"; p. 1177.

States. It is unavoidably wasteful of funds and organically incapable of the waging of modern wars of consequence. This is largely because of the character of its enlisted personnel. Always and everywhere in time of peace the soldiers of such an army are for the most part those who have failed in civil life, and the army is for them an asylum. But military effort in modern wars is only one-fourth military technique. It is three-fourths the character of effort that constitutes the industrial and professional success of the country, and in that effort these men have failed. . . . Further, a professional army, having no direct interest in the educational, professional, and industrial life of the people, develops unmolested its own customs, habits, and methods. These may be adapted to the life of a professional army in peace, but they are not always useful in the great citizen army with which a war must be fought. Such customs may even become handicaps in a war army and certainly some of them created great impatience among the energetic men from civil life who accepted reserve commissions to do work vital to the success of the army. The greater the size of a professional army in peace, the longer will it require after the outbreak of war to force the abandonment of obsolete methods.”⁶⁵

General Pershing, like General Wood and Colonel Palmer, thought that if universal military training were adopted the Regular Army should not number more than between 275,000 and 300,000.⁶⁶

A second objection to the scheme embodied in the Baker-March bill was its expensiveness. This also seemed mainly due to the large size of the Regular Army which the bill contemplated. General March estimated that three months of training could be given annually to 650,000 youths at a total cost of about \$94,000,000. On the other hand the maintenance of the proposed permanent army of more than

⁶⁵ “Senate Hearings”; p. 514.

⁶⁶ *Ibid.*; p. 1578.

500,000 regulars called for an annual outlay of \$798,660,000.⁶⁷ In short, on the War Department's own showing, a policy of civilian training was vastly cheaper than the maintenance of a large standing force. This was used as an added argument by those like Colonel Palmer who favored a greater reliance on a civilian army with a correspondingly smaller army of regulars than was contemplated by the administration bill. As General Wood expressed it: "The cost of maintenance of a regular force, as compared with the cost of training a reserve, is out of all proportion. The policy to be adopted depends on whether our people are willing to carry this unusually heavy burden in peace or whether they will adopt the sounder policy of a small Regular Army with an adequate reserve of trained men."⁶⁸

4

Various places in the proposed schemes of army reorganization were assigned to the National Guard, ranging all the way from the suggestions of General March to the plan supported by the National Guard Association. The Baker-March bill, as has been said, made no provision whatever for the Guard and left it under the National Defense Act but with the idea, apparently, that it would possibly be used mainly as a State force for State purposes. The bill prepared by the National Guard Association and introduced in Congress at their request by Senator Frelinghuysen of New Jersey stood at the other extreme, and while making no changes of a fundamental nature in the status or character of the Guard, proposed to rely on it wholly to furnish the citizen army which was to be the keystone of national defense. Between these two extremes stood the proposals of General Pershing, General O'Ryan, and Colonel Palmer who suggested using the Guard organizations as nuclei of the national citizen army which should be perpetuated and

⁶⁷ "Senate Hearings"; pp. 47-50. A detailed analysis of the elements of cost is given.

⁶⁸ *Ibid.*; p. 626.

kept filled by instalments of men graduated from universal compulsory training.

Nothing but good was said of the manner in which the National Guard had acquitted itself in the fighting in France. "These troops," said General Pershing, "have shown themselves in battle to be worthy of our best efforts."⁶⁹ "In those trained units we have a very great asset."⁷⁰ "The gentlemen of the National Guard," said Colonel Palmer, "in my opinion have done an immense public service in this country by keeping alive the tradition of a citizen army."⁷¹ It was felt, furthermore, that the spirit of local association in which the Guard was founded, springing from very deep principles of human nature, was of the utmost value and required to be embodied in any sound scheme of military policy. "The general principle of localization which is characteristic of the National Guard must be characteristic of any effective citizen army," said Colonel Palmer.⁷² On the other hand Regular Army officers and National Guardsmen alike were agreed that "the Guard could not go on as it had before."⁷³ There was agreement that this was so because of the opposition which the dual scheme of organization tended to create between the National Guard on the one hand and the Regular Army on the other. General Pershing stated the matter frankly. "The National Guard never received," he said, "the whole-hearted support of the Regular Army. During the war there was always more or less prejudice against them, and many of our regular officers failed to perform their full duty as competent instructors and often criticized where they should have instructed. The National Guard people resented this, and very properly so."⁷⁴ General O'Ryan, himself a National Guard officer, expressed the same opinion. "I think the National

⁶⁹ "Senate Hearings"; p. 1645.

⁷⁰ *Ibid.*; p. 1590.

⁷¹ "Senate Hearings"; p. 1184.

⁷² "House Hearings"; p. 1196.

⁷³ "House Hearings"; p. 1898.

⁷⁴ "Senate Hearings"; p. 1645.

Guard under the existing law is a hopeless proposition," he said, "due to the fact that the provisions of that law and the regulations which are written under those provisions are carried out by the Regular Army, and they are carried out in such a way as to subject its development to a great handicap. I mean that at times those who are charged with carrying it out are unfriendly to the National Guard, and at other times, while they are not unfriendly, they do not understand the conditions which affect the Guard."⁷⁵

For doing away with this inherent opposition, two divergent lines of policy were suggested. On the one hand it was proposed to give up the Guard as a State force altogether and take over its existent units as nuclei of a national citizen army; and on the other to leave to the Guard its present status but to remove it effectively from Regular Army interference by making the connection between the Guard and the Federal Government through other than Regular Army channels. The former was the policy proposed by General Pershing and Colonel Palmer; the latter was the policy of the Frelinghuysen bill.

Colonel Palmer, after explaining his plan for an organized reserve citizen army which has already been outlined, went on to discuss the National Guard:

"In my opinion the National Guard should go into that organized citizen army. . . . The citizen army provides the best place for the National Guard officers and men. They would become the charter members. They would then have only the single function of national defense, and it would be necessary for the States to provide, each State in its own way, for a State militia or constabulary or whatever it chose to have. . . . I commanded a National Guard brigade in the fighting north of Verdun, and it had severe fighting. I talked to a great many of my officers on this question, and the opinion of most of them was that if we had an organized citizen army under Federal control that is what they would want to enter. . . . They say, 'If we are to go back to a vague reserve status like our present reserve corps or to National Guard duty, we are through.' A number of them said that to me. I think the point is just this: You cannot organize an

⁷⁵ *Ibid.*; p. 527.

efficient army—it is impossible to organize an efficient army—for war purposes under the militia clauses of our Constitution. If you should speak to Marshal Joffre or to Marshal Foch or to any great military expert and say, ‘I will allow you to organize an army; you can do whatever you please with it except you cannot train it, you cannot discipline it, and you can have no voice in the training or selection of its officers’; he would say to you, ‘But those very things you except are the absolutely essential things in providing an efficient military force.’ I believe the solution is to form a citizen army under the constitutional clause that authorizes Congress to create and support armies. The service in many respects would be like the present National Guard service. The present National Guard personnel should be received into the new force and should be an important element in starting it. . . .”⁷⁶

Mr. McKenzie: “Your plan would obliterate the National Guard provided for in the National Defense Act.”

Colonel Palmer: “It would.”

Mr. Crago: “Would it not be almost the same as the Continental Army plan, proposed in 1916 by Mr. Garrison?”

Colonel Palmer: “It would be very different from that.”⁷⁷

Essentially the same plan was advocated by General Pershing. “We have a very great asset,” he said, “in our trained units that have had experience in the war. I am referring to the units of the National Guard as well as the units of the so-called National Army. They have returned with traditions, with a history, with pride of service, all of which makes a very valuable asset in any organization that is to be used as a basis for training. I think those divisions should be continued in existence with the officers that served with them, retaining them in the rank they had as far as their efficiency proved that they were capable of performing the duties of their respective ranks; and I would hold those divisions and designate them as reserve divisions into which could be put the young men as they left the training camps. I would try to get together the officers and men who formerly composed these divisions; by so doing the traditions and the *esprit* of those organizations would be kept alive for the rest of time,

⁷⁶ “Senate Hearings”; p. 1184.

⁷⁷ “House Hearings”; p. 1195.

and we would build up a reserve which would be available any time the country needed it.”⁷⁸ The State National Guard as such would not be a part of the Federal reserve, because we would have taken all of the National Guard which was called into service and Federalized it.”⁷⁹

General O’Ryan’s proposals were essentially the same, “My proposal,” he said, “is to constitute a citizen army of the officers and men who served in the recent war, recommissioning all the officers who were honorably discharged in the grades they held at the time they were discharged. . . . We would perpetuate these organizations with their traditions and history and effectiveness by training the 500,000 young men a year for a short period of time in training-camps under a professional training corps, and upon graduation from these training-camps assign them to the National Guard unit or the National Army unit of their home town, there to be merged with those veteran soldiers and receive additional instruction for a remaining period of three years. . . . The National Guard as it fought in the war was the product of a system filled with handicaps. In spite of these handicaps the National Guard men proved to be very efficient soldiers and their divisions were efficient divisions; but under the system I propose they would have all the advantages of National Guard *esprit* and citizen soldier *esprit*, with all the traditions of the organizations descending through the years with them.”⁸⁰

It is obvious that these proposals looked to a very radical and revolutionary alteration in the character and status of the National Guard. Although they provided for the perpetuation of the National Guard units as organizations, they in fact contemplated the wiping out of the National Guard as it had hitherto existed. The principle of the National Guard was that it was a force made up of local units, locally organized and locally controlled. The proposals of Colonel Palmer and General Pershing and Major-General O’Ryan rec-

⁷⁸ “Senate Hearings”; p. 1590.

⁷⁹ *Ibid.*; p. 1654.

⁸⁰ “Senate Hearings”; p. 519.

ognized the value of local organization and contemplated retaining it; but they proposed the abandonment of the principle of local control. For this most of the National Guardsmen were not yet ready. Local control was admitted to lie at the basis of the defects of the National Guard system, but an attempt had been made to counteract its weaknesses by the policy of Federal aid embodied in the National Defense Act of 1916; and there was optimism on the part of the Guard that an extension and elaboration of that policy would yield all the beneficial results that were desired. There was strong hostility to a total abandonment of local control and the frank substitution for it of direct Federal authority under the army clause of the Constitution. As one prominent Guardsman put it: "An army program which attempts to bring a centralized military power into being is to my conservative New England brain one of the greatest potential dangers that the institutions of this country have to face, because it is upsetting the checks and balances against usurpation of power. Any system that you install ought to have the double check of being under a state."⁸¹ In the language of another prominent Guardsman: "The problem is to retain in the localities where the men are to serve enough local control to make it interesting, and to allay that fear of military control that is so evident when you talk to a man about enlisting in the army; to meet that situation and at the same time to meet the need of centralized control which is absolutely essential to military success. The difficulty is to find some centralized control which will be agreeable to the various States because each State has its own problems to solve to meet its own conditions with regard to the maintenance and training of its militia. The methods that apply in New York State would not work for a moment in Texas. I speak for the National Guard Association when I say that they feel that any plan looking to the raising of a National Army or a citizen army under the so-called army

⁸¹ Brigadier-General Sherburne of Massachusetts, "Senate Hearings"; p. 1780.

clause of the Federal Constitution will fail in its purposes and will not represent the best thought of the citizens of the country who are interested in military affairs.”⁸²

The Guardsmen's principal objection to the status of the Guard under the National Defense Act of 1916 arose from the control which the Regular Army was, under that act, enabled to exercise over the Guard through the militia bureau of the War Department. They regarded this control as an obstacle to the growth and efficiency of the Guard because they felt that it was not exercised sympathetically or with an understanding of the needs and peculiar problems of the Guard. They accordingly proposed to take Federal control of the Guard out of the hands of the Regular Army altogether by abolishing the militia bureau, and to substitute for it a National Guard bureau functioning directly under the secretary of war and not subject to the chief of staff or any Regular Army officer or board. This National Guard bureau was to consist, not of Regular Army officers, but of National Guard officers designated by the President on the recommendation of a National Guard council. The latter body was to be a sort of federal congress consisting of one representative from the National Guard of each of the States and was to meet at least twice yearly. It was to be vested with power to make rules and regulations for the organization, discipline, and government of the Guard. The National Guard bureau, on the other hand, was to be the administrative agency for carrying these into effect. The chief of the latter bureau, who was to be a National Guardsman, was to have supervision, under the direction of the secretary of war, of all National Guard troops throughout the United States; and it was provided that “for the purpose of coördinating the instruction of the National Guard and the Regular Army the secretary of war shall on the request of the chief of the National Guard bureau detail Regular Army officers not above the grade of colonel for duty

⁸² Colonel Ransom H. Gillette of New York, “House Hearings”; pp. 1924, 1923.

in such bureau." The principles underlying these proposals were adopted by a convention of the National Guard Association which met in St. Louis in May, 1919, and were shaped into a bill by a committee of National Guard officers.⁸³ This bill was by request introduced in the Senate by Senator Frelinghuysen of New Jersey, and will hereafter be referred to as the Frelinghuysen bill.⁸⁴

The effect of the proposals contained in the Frelinghuysen bill was to make the National Guard a virtually autonomous force shaping its own policy through a federal organization of its own independent of the Regular Army. One of the spokesmen of the National Guard Association explained their proposals as follows: "The National Guard feels, and I think there is a reason, that they are much more capable of dealing with the problems and conditions that confront them than any officer trained in the Regular Army could possibly be. That applies to the question of recruiting, the question of supply, and the question of training. I will cite an instance. The National Defense Act required that the National Guard units shall hold forty-eight drills per year, which is perfectly proper. But it has been construed that those drills must be held in each separate week. That means, when I go out to recruit one of my companies, a man says, 'What have I to do?' I tell him, 'You have to report every week for forty-eight weeks a year.' He says, 'I cannot do it; I go away in the summer for my vacation,' or, 'My business is such that I want to take a certain length of time for myself,' and so on. That is only an instance. And that condition, and conditions similar to it, can best be dealt with by National Guard officers who are familiar with conditions and not with theoretical propositions only. Nobody knows better than I do that the training and regulations promulgated for the government of

⁸³ See "House Hearings"; p. 1922.

⁸⁴ Sixty-Sixth Congress, first session, Senate Bill 3424; see "Congressional Record," p. 8412; for text see "Senate Hearings," pp. 1803 ff. For resolutions of the St. Louis convention of the Guard Association, see *ibid.*; p. 1836.

the Regular Army of the United States could not be improved upon when you are talking about professional soldiers: but we are not professional soldiers; we do not pretend to be; all we can hope to do is to keep ourselves in a comparative state of readiness so that we can turn in and learn the technique of soldering in a short time, and I submit that our record overseas proves that we can do just that. There is a feeling in the Guard that our success there was brought about in spite of the Regular Army and not with its help. For that reason this association in their meeting at St. Louis resolved that in their opinion the best interests of the citizen soldiery would be subserved by taking it out from the control of the Regular Army and establishing it as a separate force.”⁸⁵

Another instance which was alleged to show the failure of the militia bureau to appreciate the conditions facing the National Guard was its requirement that militia companies should number at least one hundred men.⁸⁶ It was maintained that this was a physical impossibility for many American towns which were yet capable of maintaining valuable and effective military organizations. One Guardsman cited the example of his own town. “I live in a small town of less than 1200 population. We have had a company there since 1884, and that company served in the Spanish War and in this war. We had twenty-seven officers in the army from that town at the time the armistice was signed, and men from that town had served on every front in Europe from Dalmatia to Archangel. When they came home we started to reorganize the company; we got a company of about eighty men and they were mustered in. But under the requirements as laid down by the militia bureau that company will have to go out of existence. We cannot maintain 100 men in that company in that town. The State is going to give us a fine brick armory costing \$35,000.

⁸⁵ Colonel Ransom H. Gillette, “Senate Hearings”; pp. 1841 ff. “House Hearings”; pp. 1923 ff.

⁸⁶ See General Carter, chief of militia bureau, in “House Hearings”; p. 1868.

But it will be no use to expend that money if the present requirements of the militia bureau are enforced.”⁸⁷

It was to meet such situations that the Guardsmen desired to have the Guard itself in control of the Federal militia bureau. As one of them said: “We think if we have an experienced National Guard officer in charge of the bureau when we tell him our troubles he will know what they are. He will know without being told that you cannot maintain in 95 per cent. of the towns of the United States a company with a minimum membership of 100 men.”⁸⁸

The purpose of the proposed National Guard council, consisting of a representative from the Guard of each State, was to insure that the general policies and regulations established for the Guard as a whole would be framed by a body fully acquainted with and taking into account local needs, differences, and conditions. “The difficulty is to find some centralized control that will be agreeable to the various States, because each State has its own problems,” said Colonel Gillette. “We have tried to bring about that result by providing this council so that the man from Maine, the man from Florida, and the man from California can get together and talk over local conditions to which each is subject and arrive at some line of action that will bring about the best results to all and serve to attain uniform methods of training and discipline in those different communities.”⁸⁹

The Frelinghuysen bill provided for an extremely diluted form of universal military training. It was to be administered as part of the curriculum of graded and high-schools at the expense of the Federal Government, under the direction of National Guard officers and according to a program prescribed by the National Guard council. During the winter this training was to be mainly athletic and gymnastic, “to develop

⁸⁷ Major A. B. Critchfield, “House Hearings”; p. 1868.

⁸⁸ Major Critchfield, “House Hearings”; p. 1875.

⁸⁹ “House Hearings”; p. 1924.

physical posture and bearing, mental and physical alertness, self-control, discipline, initiative, and spirit of coöperation under leadership." Male pupils of high-schools were to be organized in a cadet corps, which was to receive field training in a camp of instruction for fifteen days during the summer months.⁹⁰

It was admitted by the advocates of the bill that the military benefits of such training would be negligible. The argument advanced, however, was that for direct military training the public sentiment of the country was not yet ready; that it needed to be prepared by a growing interest in military affairs and that such an interest would be stimulated by the kind of training proposed. It was an entering wedge which had some chance of being adopted. Further it was likely that many of the school graduates whose interest had been aroused by the training would afterwards go into the National Guard and in that way add to the nation's reserve of citizen soldiers. "We think that those sections of the bill would be worth while to try, and see what would happen," said Colonel Gillette. "It might not amount to anything, but it might do some good. I think I am right in saying that it is hopeless to try to get legislation on the books giving compulsory military training. I believe that if we can write into the law something of this kind we will gradually get in the path where we can get universal military training and everybody will be perfectly satisfied with it."⁹¹

The Frelinghuysen bill was submitted for criticism to Major-General Carter, chief of the militia bureau, who expressed fundamental disagreement with its provisions. "To place the development of the National Guard," he wrote, "under any other than trained officers of the Regular Army would be a decided step backward. Your attention is invited to the fact that the National Guard was under the entire control of the

⁹⁰ Sections 44 and 45 of the bill; "House Hearings"; p. 1814.

⁹¹ "Senate Hearings"; pp. 1847, 1844.

States and of National Guard officers from the time of the Revolution until approximately 1903, a period of 127 years, and that during that period there was little in its history to commend it as a military asset of the National Government. . . . The provisions of the bill under consideration with respect to the National Guard council place forty-eight National Guard officers, one from each State, in such a position as to menace the authority and usurp the functions of the secretary of war. The records of the militia bureau conclusively demonstrate the pernicious influence of the meddling of individual States in this perfecting of a Federal military organization. The provisions of the bill with respect to the National Guard council and National Guard bureau were evidently drawn up with a desire to give to the National Guard officers a greater voice in the control of the nation's military affairs. It is believed that the provisions of the bill would result in further divorcing the interests of the Regular Army and the National Guard and would tend to lack of coöperation, jealousy, and intrigue and would remove from the National Guard the helpful influence of those Regular Army officers who are now earnestly working for its proper development. It is believed that provision for the detail of a small number of National Guard officers to the general staff of the army would give to the National Guard the opportunity that they desire in formulating military policies and would tend to coöperation, mutual understanding, and increased efficiency in both services. With respect to compulsory physical training in schools, your attention is invited to the fact that public schools are entirely under State control and the Federal Government is without power to prescribe the curriculum, or to enforce a requirement for physical or other special training in these schools. The cost of the arrangement as outlined in the bill would be stupendous as compared with the military benefit to be derived from the training received."⁹²

⁹² "House Hearings"; p. 1887.

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At the conclusion of the hearings the Senate and House committees adopted none of the bills before them but proceeded to draft their own bills. The Senate committee's bill, which was associated with the name of Senator Wadsworth, the chairman of the committee, was a very elaborate and careful piece of legislation. "The biggest thing that has been proposed in the line of military legislation since the beginning of our country," General O'Ryan called it.⁹³ It was drawn with the assistance of Colonel Palmer and in the main followed the policy proposed by that officer, General Wood, and General Pershing, rather than the lines of the Baker-March bill; but it was less radical and made a number of concessions to existing institutions. In the first place it provided for the smaller-sized standing army of 280,000 men which Colonel Palmer and General Pershing had recommended. It then made provision for building up a citizen army to consist on the one hand of the National Guard reorganized as a Federal force under the army clause of the Constitution, and on the other hand of a reserve army whose charter members should be such veterans of the World War as cared to enlist in such a force. Universal military training for a period of four months was to be required of all youths, who were to have an election as to whether they would take the training in their nineteenth, twentieth, or twenty-first year; but as a substitute for such training youths might at their election enlist in the National Guard for a period which would supply an equivalent amount of training. Also provision was made to allow as many youths to take their training in the navy as the needs of the later force would accommodate. Youths who had taken and completed the four months' training were to be enrolled in the reserve army above mentioned for a period of five years during which time they were to be required to attend at least two annual manœuvres of two weeks each; but they were not to be liable for the performance of any military service except after a declaration of

⁹³ "New York Times," February 1, 1920; Part II, p. 1, column 4.

war by Congress. Provision was made for vocational training and for training for citizenship during the four months of military instruction; and for the reduction of the Regular Army to 210,000 by the end of six years.

There was some criticism of the Wadsworth bill from the more pronounced advocates of universal military training. "The Senate's treatment of the subject in its bill leaves much to be desired, training with the National Guard being permitted as an alternative to the four months' training which young men can elect to take," said the "New York Times" editorially.⁹⁴ On the other hand the bill succeeded in winning the support of a number of diverse elements. At a meeting held at the National Republican Club in New York City, General O'Ryan, representing an important section of National Guard opinion, gave it his unqualified approval, as did Major Tompkins McIlwaine, chairman of the National Training Camps Association, one of the most active of the organizations which had been agitating for universal training. "This bill," said the latter, "contains everything for which we have contended."⁹⁵

It was becoming apparent, however, that the sentiment of the country was running strongly against a policy of compulsory training. The press throughout the South and West was almost universally hostile. "As the war recedes, there seems to be less and less interest in the subject," said the "Times";⁹⁶ and at the same time there was more and more opposition. This expressed itself particularly on the floor of Congress. An outspoken member of the House went so far as to say, "All this talk about compulsory training in time of peace is rot, and the majority of the people will drive any party out of Congress which enacts such a thing in this country."⁹⁷ There

⁹⁴ January 12, 1920; p. 8, column 3.

⁹⁵ "New York Times," February 1, 1920; Part II, p. 1, column 4.

⁹⁶ "New York Times," January 12, 1920; p. 8, column 3.

⁹⁷ Mr. Quin of Mississippi, February 13, 1919, "Congressional Record," Sixty-Fifth Congress, third session; p. 3287.

was special irritation at what was felt to be the attempt to coat the unpalatable pill of militarism with a sugared capsule of talk about vocational training and education for citizenship. "It would be refreshing," said a member of Congress, "to find a man who favored this system willing to stand pat on the proposition as a matter of military defense, and not undertake to say we are doing this for the boys' health."⁹⁸ A National Guard officer who appeared before the Senate committee in the interest of the Frelinghuysen bill was asked to state his view of public sentiment on the subject of compulsory training. "The employer," he said, "and the man who appears prominently before the public, is in favor of it, but the employed man is not, and the farmer is not, and they are in the majority."⁹⁹ The reasoned opinion against compulsory training which went on other grounds than mere sentiment was based in the main on considerations which were expressed in the following letter to a member of Congress:

1. To take a young man away from the work in which he is engaged and put him in a camp for a year or even for six months means that he will grow away from the business in which he was engaged; that when he returns to civil life his place will be filled by another man and he will have to shift to find a new place, and he is very much more unfitted for it than he was before he left for the military camp. I personally know numbers of young men who entered the service during the World War with the promise that their places would be open when they returned, but now that they are back they are told that their places are satisfactorily filled and that they will have to wait for an opening.

2. The idleness which necessarily comes to men in a military camp unfits them for a business or professional life and makes them dissatisfied with the steady grind which they are called upon to undergo outside of the military camp.

3. The immoral influences growing out of and in connection with the herding together of great numbers of men without the moral restraints of the family and the home are very strong, and lead to excesses and dissipation as soon as the men get outside of the camp

⁹⁸ Mr. McKenzie of Illinois, "House Hearings"; p. 1396.

⁹⁹ "Senate Hearings"; p. 1948.

limits which are always surrounded by a gang of vultures and harpies, ready to prey upon and to plunder the thoughtless young man.

4. I am opposed to the vast expenditure of money that will be required to keep up such a military program. . . . Just as surely as to-morrow's sun rises, a military program in this country will have no other results than it had in Germany. I think it wicked to have made the sacrifice of life and money necessary to overthrow militarism in Germany only to establish it in this country. These are the views of a large majority of the people whom I meet in church and lodge and in social circles in my daily intercourse.¹

The bill which was prepared by the House committee² differed from the Wadsworth bill in that it omitted altogether any provision for compulsory training. It fixed the size of the Regular Army at approximately 300,000, left the National Guard essentially as it was under the National Defense Act, and made a number of important alterations in the details of army organization and administration. The omission of provision for training was the storm-center of interest. Chairman Kahn, who was in favor of the training provisions of the Wadsworth bill, threatened to carry the fight to the floor of the House. Majority Leader Mondell thereupon announced that he was opposed to training because of the expense, that it would cost at least \$1,000,000,000 the first year and \$700,000,000 yearly thereafter, that the country ought not to assume such a burden when it was facing a deficit of nearly \$3,000,000,000, and that if the Military Affairs Committee should determine to present a bill containing provisions for training, it would surely be rejected by the House. The financial argument Senator Wadsworth sought to answer when he introduced his own bill in the Senate on January 28, 1920. He argued that its provisions would call for an expenditure of only \$609,805,000 in 1921 and would never involve a greater yearly outlay than \$635,000,000. At this expense the country would be provided by 1926 with a reserve of 3,345,000 trained

¹ Printed in "Senate Hearings"; p. 2041.

² It was prepared by a subcommittee of which Representative Anthony of Kansas was chairman.

men at a total average cost of \$170 a man as against the cost of \$1800 a year required to maintain each regular soldier of a standing army.³ Chairman Kahn expressed his opinion that the economy argument was being employed by many members to hide their real objections to military training and that the "mask ought to be torn from the face of these pacifists."⁴

On February 9 the Democrats of the House held a caucus to determine the attitude of the party on the training question. To this meeting the President sent an appeal in the form of a letter to Secretary Baker urging that the matter be not made a party issue but that each member should be left free to follow his own best judgment with regard to it. "The present disturbed state of the world," he wrote, "does not permit such sureness with regard to America's obligations as to allow us lightly to decide this great question upon purely military grounds, while the demonstrated advantages to the country which came from military service in the war plainly suggest that in the national interest, quite apart from military considerations, a moderate and carefully conducted course of military training may have the highest possible advantages. In our discussion of the subject you will recall that I gave my approval in principle to the various very moderate training projects suggested by the general staff, and I would be very glad to have you convey to appropriate members of the House who will attend the caucus my strong feeling against any action by the caucus which will tend to impose an arbitrary party determination upon the consideration which this subject should receive from the best thought of the members of the House, considering alike the national emergencies which may confront us and the great disciplinary and other advantages which such a system plainly promises for the young men of the country."⁵

³ "New York Times," January 29, 1920; p. 15, column 3: February 1, 1920; Part II, p. 1, column 4.

⁴ *Ibid.*, February 21, 1920; p. 3, column 6.

⁵ "New York Times," February 10, 1920; p. 1, column 6.

The caucus lasted for two hours and is said to have been very "lively." Nearly all of the 189 Democratic members of the House were in attendance. The leaders of the opposition to the President's advice were Representatives Kitchin, Dent, Field, and Flood, their principal argument being that the sentiment of the country was against compulsory training. Ex-Speaker Clark, absent in Missouri, had informed his colleagues that he was opposed to the training proposals. Supporting the President were Representatives Doremus of Michigan, Olney of Massachusetts, and Caldwell of New York. Representative Caldwell referred to the resolution just adopted by the national convention of the American Legion in favor of training and argued that political expediency dictated a stand in favor of training rather than against it. At the close of the discussion the caucus adopted by a vote of 106 to 17 the following resolution:

"Resolved, that it is the sense of this caucus that no measure should be passed by this Congress providing for universal compulsory military service or training."⁶

On February 21 it was reported in the newspapers that the Military Affairs Committee of the House by a vote of eleven to nine had decided to bring in a bill containing provisions for compulsory training.⁷ Conferences between Republican leaders followed and three days later it was announced that the training provisions would be omitted from the bill and made the subject of separate legislation at the next session of Congress.⁸ This decision was generally attributed to the unwillingness of the majority party to commit themselves on the question in the face of an approaching Presidential election. "Universal training has not been and will not be side-tracked," said Mr. Kahn; "but in view of the attitude of House members, separate legislation is the only thing that is

⁶ "New York Times," February 10; p. 1, column 2.

⁷ *Ibid.*, February 21, 1920; p. 3, column 6.

⁸ *Ibid.*, February 25; p. 15, column 5.

practical." The "New York Times," however, printed an editorial entitled "Military Training Shelved."⁹

On February 27 Mr. Kahn reported the bill from committee. It provided for a maximum Regular Army of 17,700 officers and 299,000 enlisted men, of whom 250,000 were to be combat troops. Enlistments were to be for one or three years at the option of the recruit. The most important features of the bill were those which dealt with the National Guard. Essentially the Guard was left under the provisions of the National Defense Act; but many of the recommendations were adopted which had been made by Guard officers during the hearings. Thus it was provided that the chief of the militia bureau should be a National Guard officer, that Federal aid should be extended to Guard companies having a minimum of fifty members, and that the Federal pay for attendance on Guard drills should be increased. To prevent such a threatened destruction of the Guard as was imminent when the Guard organizations which had been in Federal service during the war were mustered out, provision was made that when Guard troops should be called into national service their discharge from such service should not release them from State service. "Our purpose is to rehabilitate the National Guard," said Representative Anthony, chairman of the subcommittee which had drafted the bill. "Following the war, the National Guard units were discharged wholesale upon their release from the national army. It was never intended by Congress when it passed the National Defense Act that any power should be lodged in the War Department which would enable it practically to destroy the National Guard at one blow, but the War Department has assumed that power, and by its arbitrary discharge from every obligation of State and national service of every unit of the National Guard which went into the army during the war, it has all but destroyed the National Guard. In this bill we are providing liberal legislation under which we

⁹ February 27; p. 12, column 4.

hope to build up again the Guard to its authorized strength under the National Defense Act which we believe in a few years will give us a National Guard approximating 400,000 men to serve not only as a second line of defense in this country, but as an efficient first line when called out in conjunction with the Regular Army as was amply demonstrated in the present war on the battle-fields of Europe. . . . One of the most essential things this bill provides is to start right in at the top. We provide that the chief of the militia bureau down at the War Department shall be a National Guard officer instead of a Regular Army officer, [Applause] It has been found that with an officer of the Regular Army at the head of the militia bureau, instead of the bureau being allowed to be free to exercise what is thought best for the National Guard, the bureau has been dominated by the purpose of the general staff to destroy the Guard, and it has been working at cross-purposes all these years. We propose to correct that evil by appointing a National Guard officer as the head of the militia bureau, and I believe it will go far to accomplish that purpose.”¹⁰

The bill also provided for limiting the functions of the general staff in the manner described in the preceding chapter, and for concentrating the supply operations of the army in the hands of a new under-secretary of war. The chief point of attack on the bill during the debates in the House was the size of the Regular Army proposed. Three attempts were made to reduce the figure of 299,000 men. Mr. Dent's motion to substitute 185,000 was lost by a vote of seventy-five to twenty-five; a motion by Representative Jones of Texas for a reduction to 175,000 was defeated by the same vote; and another motion to set the figure at 150,000 was lost *viva voce*. “We are apt to get into trouble,” said Mr. Kahn, “before we know it. We are trying to expand our foreign trade, and nothing stirs up trouble so much or so quickly as

¹⁰ March 8, 1920; “Congressional Record,” Sixty-Sixth Congress, first session; pp. 4025 ff.

getting the trade from another country. That frequently brings war, and the only salvation is to be prepared to defend the rights of the country at any time." On March 18 the House passed the bill and sent it to the Senate.

On April 5 Senator Wadsworth called up his own bill in the Senate, and the contest for compulsory training passed into its final phase. At the end of three days advocates of training perceived that they were beaten and sought to save something from the wreck by offering a substitute proposal for voluntary training. This plan, which was brought forward by Senator Frelinghuysen, permitted the Government to offer four months of military training to all young men between eighteen and twenty-eight years of age who applied for it. At the end of the training the youth would be permitted, if he so desired, to enlist for four years in the organized reserves, but he would be under no obligation to do so. Senator Frelinghuysen estimated that if 100,000 men applied annually, the cost of the training would amount to only \$28,000,000 a year. The Frelinghuysen substitute was adopted in place of the compulsory training provisions of the Wadsworth bill by a vote of forty-six to nine. Senator McKellar of Tennessee then moved to strike out the Frelinghuysen amendment, thus leaving the bill without any provisions for training at all. This motion was lost by a vote of thirty-seven to nine.

This final rejection of compulsory military training was regarded with much bitterness by some of its advocates. "Little of value," said the "New York Times" in an editorial, "is to be expected from voluntary military training. An army of millions could not have been raised by enlistment during the war. It would therefore be fatuous to maintain that any considerable number of young men between the ages of eighteen and twenty-eight would present themselves for four months of instruction in drill and tactics during the summer months. . . . The pacifists, the pro-Germans, the radical labor men, and the Bolsheviki, and, it must be ad-

mitted, a mercenary and calculating class that does not want to lose the services of the young men during even a brief period of military training were opposed to the system proposed in the Senate army bill. These pseudo-and little-Americans poll a vote that is worth truckling to.”¹¹

With the universal training feature of the Senate bill eliminated, it was felt to be unwise to provide for the gradual reduction of the Regular Army to 210,000 men, as had been originally contemplated; and the clauses containing that provision were accordingly struck from the bill. Senator Frelinghuysen said there ought to be no reduction in the size of the Regular Army “when we know the forces that are working at this time in this country.” He thought that one division of approximately 27,500 regulars should always be stationed in the vicinity of Washington. On being asked the reason, he replied that 2000 men had captured Petrograd and he wanted the American capital to be protected at all times against any possible emergency.

On April 20 the Senate passed the amended Wadsworth bill and the two Houses went into conference. The main matter of difference was as to the provisions of the two bills relating to the National Guard. The Senate bill organized the National Guard under the army clause of the Constitution, making it primarily a national force. Provision was made for the use of the Guard for State police purposes, but the War Department was always to have ultimate control, and the Guard was to have representation on the general staff of the army and be under its supervision. These provisions were violently opposed by the majority of Guardsmen on the ground that they would carry still further that very subordination of the Guard to the Regular Army which in their opinion ought to be entirely done away with. The House bill on the other hand followed, as we have seen, the lines advocated by the Guard. It continued the policy of the National Defense Act and largely relieved the Guard from

¹¹ April 12, 1920; p. 14, column 3.

Regular Army control by providing that the militia bureau should be presided over by a National Guard officer. By way of compromise the Senate conferees offered a provision giving each State the option of having its Guard organized as a part of the Federal force or of retaining it as a purely State organization. This proposal when reported to the House was rejected by a vote of 209 to 106. The House also insisted on the elimination of the Senate proposal for voluntary military training. On both points the Senate conferees finally gave way, and the bill was reported out, passed by both Houses, and approved by the President on June 4, 1920.¹²

6

The Army Act of June 4, 1920, is essentially the House bill, with almost nothing of the Wadsworth bill in it. In contrast with the large plans of constructive reform and the proposals of far-reaching changes urged upon Congress by military experts during the hearings, it is surprising how little there is in the bill as finally adopted that is novel or constructive. In its very form the act is a series of loose amendments to the National Defense Act of 1916; and it adds nothing in essentials to the policy of the National Defense Act. An outline comparison of the two statutes will show the contributions made by the more recent legislation.

The Army Act of 1920, like the National Defense Act, provides that the army shall consist of a Regular Army, a reserve corps, and the National Guard while in Federal service. Unlike the National Defense Act, the Army Act contains no reference to a volunteer army as part of the army of the United States.

The Army Act made provision for a Regular Army of approximately 298,000 men, the figure to which the National Defense Act had provided that the army was to be raised in incre-

¹² Sixty-Sixth Congress, Public Act No. 242 (41 Statutes at Large, pp. 759 ff).

ments extended over five years; but the Defense Act had contained a proviso that in time of peace the size of the army should not exceed 175,000, and this limit was increased in the Army Act to 280,000.

The term of enlistment prescribed in the act of 1916 had been three years with the colors and four in an unorganized Regular Army reserve.¹³ The Army Act of 1920 fixed the enlistment period at one or three years in the option of the recruits¹⁵ and abolished the Regular Army reserve.¹⁴ These changes were suggested by the difficulties which had been met with in enlisting recruits. They mark the final passing of the method of building up a reserve which Secretaries Stimson and Garrison had viewed with so much hopefulness. It had not worked. The newer view was expressed by General March: "In raising the army necessary to fight a modern war, this little handful of soldiers in the reserve does not cut any figure one way or the other. They are no good from the standpoint of being a military asset. On the other hand, it is a distinct disadvantage in the effort to get men to enlist in the Regular Army. They will not go in for seven years' service, three years in the Regular Army and four years in the reserve. It is a distinct bar to getting enlistments."¹⁶ The provision in the act of 1920 for optional enlistments of one year was meant to open the army to young men who had not yet decided whether they would like a military life and who were unwilling to assume a longer commitment. Reenlistments were required to be for three years. The provisions of the National Defense Act for vocational training of soldiers in the Regular Army were retained as an added inducement to enlistment.

The act of 1920 provided for the recognition as distinct departments of the army of a number of new services created

¹³ See above, p. 47.

¹⁴ Section 30.

¹⁵ Section 27.

¹⁶ "Hearings Before House Committee on Military Affairs, January 16, 1919"; p. 51.

by the war; namely, the air service, the chemical warfare service, and the finance department.

Finally the provisions of the new act dealing with the Regular Army represented a noteworthy departure in the manner in which the details of army organization were dealt with. Preceding army legislation, including the National Defense Act, had minutely defined the composition of each of the units of organization. Thus the National Defense Act had prescribed that each regiment of infantry should consist of one colonel, one lieutenant-colonel, three majors, and so on through the list of officers, and of so many battalions and companies. The composition of a battalion and a company were then defined with similar minuteness, the number of officers and men of each grade being rigidly prescribed, down to the number of cooks, mechanics, and buglers.¹⁷ The various units of each arm of the service being thus strictly defined, the statute, by prescribing the number of such units of which that arm was to consist, completed a perfectly rigid structure of organization which left no opening to flexibility in administration. The result was felt as a hindrance and check by all who had to do with the administration of military policy. In Colonel Palmer's language: "So long as Congress fixes the detailed organization of the personnel assigned to each military function, it will be impossible to provide a flexible and economical military organization properly adjustable to changes in the military art. Under this system each branch of the service is and always will be tempted to overstate its proper personnel requirements. Under this system it is impossible to make a scientific readjustment of the authorized commissioned personnel to meet the requirements of a new policy."¹⁸ During the war the difficulty had been overcome by the Overman Act, which gave the President authority to override the statutory structure of organization by transferring individuals and groups from one organization

¹⁷ See, e. g., National Defense Act. Section 17.

¹⁸ "Senate Hearings"; p. 1189.

to another; and the Baker-March bill proposed to continue in him the same power permanently with respect to the army. As far as this, Congress was not willing to go; but the Army Act of 1920 made a great stride forward in laying down no statutory definition of the composition and number of the units into which the various branches of the army were to be organized. It simply provided that so many officers and so many men were to compose the infantry, to be organized into such units as the President might direct; and similarly with regard to the cavalry, field artillery, coast artillery, and so on. The only statutory provision as to organization was thus the prescription of the total number of officers and men assigned to each major arm of the service.¹⁹

The National Guard provisions of the act of 1920 have for the most part been sufficiently discussed. The term of enlistment in the Guard was altered to a period of one or three years at the option of the recruit to bring it into conformity with the new enlistment period prescribed for the Regular Army. Reënlistments in the Guard were to be for one year each.²⁰ The rate of Federal pay to militia officers and men for attendance upon drills and manœuvres was considerably increased.²¹

The act of 1920 altered materially the character of the enlisted reserve corps established by the National Defense Act. Under the act of 1916 the reserve corps had been limited in its scope to securing skilled men as reserves for the technical services, e. g., the engineers, ordnance, signal, and medical corps. The provisions of the act of 1920 aim to create a volunteer reserve force of troops. Enlistments are to be for a period of three years, all persons are to be eligible who are eligible to enlist in the Regular Army, and the reservists may be formed into practical units and organizations similar to those of the Regular Army. Members of the reserve corps

¹⁹ For some puzzling language on this section of the act by Secretary Baker, see "Congressional Record," December 14, 1920, at p. 345.

²⁰ Section 37.

²¹ Sections 47 and 48.

may be placed on active duty as individuals or organizations, but except in time of a national emergency expressly declared by Congress no reservist is to be kept on active duty for more than fifteen days in any calendar year without his own consent. In conception the enlisted reserve corps is thus the beginning on paper of a sort of national militia, but it may be doubted whether enough men will enlist in the corps to render it an effective military asset.

The Army Act perpetuates the officers' reserve corps and the reserve officers' training corps established by the National Defense Act. The provisions of the later statute are more general in scope than those of the Defense Act and matters of detail are left more largely to Presidential regulation. Officers in the National Guard are permitted to hold reserve commissions while retaining their commissions in the Guard. Provision is made for the holding of annual instruction-camps for the training of reserve officers.

CHAPTER X

ESSENTIALS OF AMERICAN ARMY POLICY

THE Army Act of 1920 represents a return in essentials to the National Defense Act of 1916, a statute passed almost a year before the outbreak of the war. The question naturally suggests itself whether the act rests on the untenable assumption that the war taught no lessons of army policy worth following. It must be remembered also that even at the time of its passage the National Defense Act was far from satisfying those elements of public opinion which most clearly foresaw the danger of approaching war. When the war came the act had to be supplemented by new legislation built from the bottom up, and in the face of the emergency legal and administrative machinery had to be freshly created to make it possible for the country to put forth an adequate military effort. The wisdom, after such an experience, of deliberately returning to the old statute challenges serious inquiry. The automatic desire of a country after the conclusion of a war to relapse comfortably into a pre-war "normalcy" serves as a sufficient explanation for the Army Act; but such a result is never really desirable because it is never actually possible. A return to pre-war policy requires always an express justification in post-war conditions; and the weight of presumption is against it. If the Army Act of 1920 represents sound military policy it must justify itself against a *prima facie* case to the contrary.

The case against the Army Act is strengthened by the fact that the policy it embodies has been condemned by the preponderance of the expert military opinion of the country. This is clear from the summary given in the last chapter of

the testimony of the experts who were examined by the Congressional committees. The act follows the lines of traditional policy from which it was their almost unanimous opinion that the country ought to depart. It perpetuates arrangements which have been criticized for a long time as defective, and the defectiveness of which was alleged to have been proved by the universally recognized necessity of abandoning them at once on the outbreak of the war. If the fact that a system of military arrangements has to be altered in the face of war is proof of the defectiveness of the system, then it must be admitted that the military policy of the new Army Act has already been discredited by experience. But in the opinion of the writer there is no need to reach so pessimistic a conclusion.

In approaching a question of military policy, we start from the axiom that the goal is preparedness. Now no one would contend that preparedness means that a nation in time of peace should maintain the complete military force which it is necessary to launch into action on the outbreak of a war; the expense and effort of such a policy are prohibitive for any modern industrial nation. It means rather that a nation should always keep itself in the best possible position to launch the requisite force when the necessity arises with the minimum of expense and effort, and the maximum of speed and efficiency. But if preparedness thus does not require that the peace-time military establishment of a country should coincide at all points with its war-time military establishment, it might be argued by analogy that neither does preparedness necessarily demand that the peace-time military institutions of a country should exactly coincide with the type of military institutions called for in war. Just as new troops will inevitably have to be raised on the outbreak of a war, so it is to be expected that new legislation will have to be passed to meet the needs of each particular emergency as it arises; for it is of the essence of an emergency to present novel conditions and call for novel measures to meet them. The

fact, therefore, that on our entrance into the World War the National Defense Act had to be supplemented and in large measure superseded by the Selective Service Act and later statutes is not of itself conclusive evidence that the Defense Act was not the best available instrument of preparedness before the war; and the fact that the Selective Service Act itself was required as an instrument of our organization for the war with Germany is no indication one way or the other as to whether that particular act would be similarly required in a future war. It was a sound instinct which caused Congress to reject the proposal of the Baker-March bill that the mere declaration of war by Congress should automatically bring back into effect the provisions of the Selective Service Act. In the event of war with Mexico, for instance, it would probably not be necessary or desirable. It seems better to leave to Congress, acting in the face of a particular emergency, the question of whether or not that particular emergency demands the revival of the act.

Whether or not the National Defense Act or its successor, the Army Act, supplies an adequate measure of preparedness depends really on the question of whether it paves the way for the most effective mobilization of military force required to meet such emergencies in general as are likely to face us; whether, that is, it lays down the most favorable foundation on the basis of which those special measures can be adopted which, from time to time, will be called for by the peculiar character of each particular war emergency of the future. The question raised is a concrete problem of foresight. For what most of all needs to be recognized is that a policy of preparedness is not one which can be formulated abstractly or *in vacuo*; it must be fitted to a realization of the limitations imposed by the concrete situation and needs of this country as they exist to-day. The question is not one which can be properly solved by general references to the practices of other countries, or by theoretical speculations as to the possibilities of war in general; it needs to be approached with a direct eye

to the present conditions of American national life and to an estimate in detail of the special military emergencies in which there is reasonable likelihood that the United States may become involved. The problem of preparedness has been too much dealt with in the air; what is needed is a more definite forecasting of the nature and variety of the possible military emergencies of the future and a closer attention to the materials, social, political, and economic, which limit the lines of a workable American policy of preparedness.

Regard for this distinction between ways of approaching the problem brings out the need for taking a sufficiently modest view of what is capable of accomplishment. The task is not that of securing the abstractly most perfect system of military efficiency, leaving other considerations out of account; it is rather to estimate what degree of military efficiency social and economic factors in this country leave room for and to devise how that efficiency can be best organized to meet the special situations which are likely to call for it. Those who would frame a military policy for the United States are not presented with a clean slate on which to write a plan Olympian-wise; they must deal with given conditions and attempt to utilize them to more or less given ends. Of course the greatest difficulty is with this matter of ends—with the estimate, that is, of what military emergencies are likely to arise. Here individual views will differ as widely as individual opinions of what is the proper line for our foreign policy to take. Some may contemplate, for instance, the not distant possibility of a war which would lead to an extensive invasion by American troops of territory in this hemisphere. If that view is accepted, our army policy ought to be vastly more ambitious than what would be required if all that is contemplated is the prospective defense of our own territory against an invading army shipped from abroad. If only the latter contingency is regarded as probable, it would be wasteful to make preparations which would be no more than prudent for the former. A third possibility which should be weighed

is that of having to send an American expeditionary force abroad, for instance on service in China. But in any event, concrete possibilities of this kind should be faced, and their comparative likelihood balanced before any intelligent consideration of the preparedness problem becomes possible. Otherwise discussion is a mere bandying of words in the dark. To talk generally of an increase or decrease of the armies of other nations, or of the likelihood of war being enhanced by our ownership of the Philippines or the Canal Zone is not directly helpful unless carried forward to a consideration of the more concrete possibilities above suggested.

But while individual views as to the nature of possible emergencies will thus vary as widely as views of what constitutes a proper foreign policy, the views which need to be given serious consideration are happily confined within the narrower limits set by the more or less discoverable temper of American public opinion; and this lends something tangible to what would otherwise be an insoluble problem made up wholly of variables. For it may be laid down as fairly certain that American foreign policy will not consistently follow the views of aggressive imperialists on the one hand any more than it will realize the dreams of advanced pacifists on the other. It will be a human policy determined by the temper of the American people and thus ultimately by current conditions of American national life. This means that for one thing it will not for a long while at least be a consistent or continuous policy in any one direction. The conditions of American life are changing too rapidly and the scope and direction of American interests are fluctuating too widely for that. While these forces of change are at work, America cannot be counted on as ready or willing to adhere to any settled line of foreign policy, least of all to a policy of deliberate and well-planned political expansion. Our situation is very different from that of the Continental nations of Europe prior to the war. Those countries had a foreign policy imposed on them by a long tradition and by a conventionally accepted conception of

national needs. The possibility of extensive land-warfare formed a recognized incident of that policy and was accepted as a natural consequence of expanding population coupled with nationalist ambitions. There was general acceptance of premises which made large armies evidently necessary. Under such circumstances public opinion in France, Austria, Russia, and Germany submitted sympathetically to a policy of expensive preparedness. That is not our situation. The United States may in the future become involved in a great war on land in America or some other continent, but, if so, it will be due to a hasty decision taken at the moment and to no settled plan or steady expectation of such a war as inevitable. American public opinion does not, as did European opinion in the early twentieth century, contemplate such a war as a foregone conclusion. And therefore American opinion is not ready to make the grinding sacrifices of money and effort required for adequate preparation for such a war. Hence the elements of American opinion which do look forward to such a war as unavoidable are prone to condemn the majority opinion of the country as recklessly blind to our military needs. The accusation is justified if a great land war is within the range of not distant probabilities. But there is no reason to suppose that it is; and, if not, the cost of preparing for it, together with the influence that preparation would certainly have in bringing on a war of that kind, goes far to justify the normal American belief that preparation on a great scale would not be worth what it would cost. But, justified or unjustified, it seems that the weight of American opinion does not contemplate or desire a foreign policy which would make elaborate preparedness a necessity; and therefore public opinion is unwilling to submit to the burdens which such preparedness would entail.

It is in any case to this public opinion that any preparedness policy which has a chance of being adopted must conform. Even if it is regarded as wrong-headed and blind opinion, it defines inexorably the limits of a workable army policy for

the present. Advocates of preparedness have for a number of years followed the course of attempting to effect a change in public opinion, but with what little success is shown by the Congressional debates on army reorganization which were reviewed in the last chapter. It would therefore seem clear that the army policy of the next few years must be shaped in harmony with opinion as it now exists rather than in antagonism to it; looking to the slow processes of time to effect such an alteration in opinion as will alone ever make possible a more frankly vigorous military program. The present problem is to devise the most vigorous and effective program compatible with the current state of American opinion and the current conditions of American life.

It is in the light of these essential limitations rather than from the point of view of abstract military efficiency that the National Defense Act of 1916 and the Army Act of 1920 should be criticized. In both instances the legislation represents a deliberate choice by Congress of one type of army policy in clean-cut preference to a definitely different type. The whole subject has been gone over and considered in recent years with greater thoroughness than almost any other subject of legislation; and, broadly, three general types of policy have been proposed and considered exhaustively. The first placed main dependence on a great standing army; the other two were essentially plans for the military training of citizens to constitute a dependable reserve. It was between these last two plans that the real choice lay; for there was hardly any chance of acceptance of a large standing army by American opinion. The broad difference between the two opposing plans for citizen training was that the plan adopted in 1916 and reaffirmed in 1920 followed very much more closely the lines of traditional policy than did the plans rejected. In 1916 the issue was between the National Defense Act and Secretary Garrison's Continental Army plan; in 1920 between the Army Act as adopted and the Wadsworth bill. Secretary Garrison's plan stood closer to the traditional policy than did Sen-

ator Wadsworth's in that it contained no compulsory elements and contemplated training through membership in a militia body rather than a specialized period of exclusive military training in a camp; but the two plans resembled each other, and stood opposed to the plan adopted, in that the training they proposed was to be under the authority of the central government rather than under the local control of the States. Two issues were thus presented: (1) whether the training should take the form of a definite period of exclusive military service or of membership in a militia organization with occasional periods of practice; (2) if the training was to take the latter form, whether the organization should be under national or State control. These are the critical issues of current army policy, which require to be considered in any attempt to assess the value and wisdom of the recent legislation.

1. The great objection made by many military experts to training through membership in a militia organization with occasional drills and practice-camps is that it is not sufficiently intensive, that the total length of time likely to be devoted to training of this sort in the occasional intervals of civilian occupation does not add up to a period adequate to produce a seasoned soldier. To be sure, the war has effected a remarkable change in military opinions as to the length of time necessary to train a good soldier; during the hearings of 1919 there was no insistence on Washington's dictum that the training of a soldier must be a matter not of months but of years. Nevertheless it seems clear that military opinion is fully justified in holding that a period of exclusive training undergone in youth is much more likely to produce a soldierly attitude and habit of mind and body than militia practice participated in during the spare intervals of civilian life, even where such practice is greater in total amount than has in the past been customary in our State militia organizations. If the youth of America could be subjected to a period of army life and discipline before entering on their civilian life-work there can be little doubt that the military spirit and efficiency of the nation would for good or ill be

greatly increased. Of course such efficiency would be purchased at an enormous expense, not merely in the actual outlay of money necessary for maintaining the apparatus of training, but also in the loss of effective man-power drawn off during the training period from productive industrial effort. The question is simply one of balance and comparison between the value of the military result and the heaviness of the economic and social sacrifice. From the sheer military point of view, the superior quality of the military result would clearly prevail; and the issue thus turns on the intrinsic validity of the demand for sheer military efficiency. This is a question of the temper of the American people. The heaviness of the burden involved is patent at first sight, and it will not be accepted unless the compensating advantages are even more strikingly patent to public opinion. No one has ever supposed that general military training would at present be submitted to in America unless under governmental compulsion. The question is whether public opinion will support a policy of compulsion to secure what would admittedly not be effected voluntarily. It is here that the history of the United States and the difference between the present position of the American people and the situation of European peoples before the war becomes of account. A people will not willingly submit to the obvious economic waste of elaborate military training unless the dominant public opinion among them is habituated to regard large-scale warfare as an ever-present possibility and normal incident of national life. That was the case in Europe during the fifty years preceding the war. Rival nations crowding each other geographically and laboring under the fear of impending overpopulation accepted whole-heartedly a tradition of national antagonisms. Military efficiency was a consideration understood and appreciated not merely by professional military men but by the controlling elements of the population at large. Our own past and present result in a radically different popular conviction. Military matters are not normally present to the minds of the average American citizen because there has not

been and is not now any close connection between them and the economic and political activities which absorb the effort and attention of our people individually. Economic and political expansion has gone forward unthreatened by the rivalries of neighboring states. Our people have inherited a traditional English dislike for an idle soldiery because they have been able to achieve their ends without military assistance or interference. Wars have with us been always more or less accidents, and while accident-insurance is profitable it does not pay to expend for it any large share of total annual income. Bodies of troops are not a familiar feature in American communities and the uniform has been invested with no such glamour as to make American youths in general willing to postpone for a period of military training the chance to begin to earn a living. The normal diversities of human nature always produce a number of men to whom things military make a strong appeal, and these are willing to devote much of their energy and most of their spare time to the drills and manœuvres of militia organizations and training-camps. But at present military interest is not strong enough among our people as a whole to convince them of the need for universal participation in such activities; nor can the conviction be expected to come until our frontiers crowd so dangerously against expanding neighbors that the tremor of imminent war becomes a steady feeling through the protected heart of the nation. Until then a general policy of military training can hardly be looked for on the part of a government actuated by popular opinion. In short it seems clear that whatever may be our national needs from a far-sighted and military point of view, legislation subjecting American youths to a period of exclusive military training would not be wise because it would be out of joint with the present outlook and beliefs of the American people. It would not fit into our policy because it would not be in harmony with the current of our present activities and interests.

2. The judgment of Congress seems therefore sound in having resorted to voluntary militia organizations rather

than to compulsory military training to develop whatever reserve is needed of civilian soldiers. The question remains as to the wisdom of following American tradition in leaving the militia organizations under State control rather than following Secretary Garrison's plan of establishing a new national militia. The plan of a national militia embodies very obvious advantages at just the points where experience has shown the old system of State militia to be most defective. It would make possible a centralized control for tactical purposes and a valuable uniformity of training, and would obviate the great handicap so often experienced of having certain State Governments grossly neglect their militia duties. On the other hand the motor impulse under a centralized militia system would have to come from the center — from the Government at Washington. In that respect it differs from the local system which has always prevailed. The American militia system rests upon the interest, energy, and effort of those individuals scattered through many local communities who are spontaneously attracted to military affairs. It rests upon the enthusiasm of individuals who devote their time to it for love of the thing and not because they are paid to do so. Much of this spontaneous interest would be lost if control were taken away from the local organizations and vested in the central government. The present system has most of the faults, and they are serious faults, which inhere in any system of amateur management; but in determining whether it should be given up it is desirable to estimate what faults would be present in the system to be put in its place. It is here that the rub of the question comes. The issue is between amateur management on one hand and bureaucratic management on the other. For the army administration of our central government is necessarily of a character which must be called bureaucratic. The explanation lies in that same absence of interest in military matters on the part of the people at large which has already been referred to. Hence in times of peace there is little life or energy in our central government's army policy. It functions automatically and outside the limelight of public

scrutiny, because it is outside the field of sympathetic public interest. The result is naturally an accumulation of the dead wood of routine which so challenged the surprise of American business men when they came suddenly into contact with it on the outbreak of the war. Their reactions are illustrated by some of the criticisms considered above in the chapter on the general staff. Now the establishment of a national militia would certainly result in substituting bureaucratic administration of this character for the less technical but more spontaneously interested control which prevails under our present system of State administration. At present our militia organizations live by the natural life of the communities which support them. They attract those elements in the population who are spontaneously drawn to military affairs by the prospect of having a more or less free hand in the management of local organizations. Many of these elements would be alienated if they were required to fit themselves into a large mechanical system controlled from a distant center. This loss would be more than compensated if there were certainty that central control contained elements of life and vigor which would flow out and vivify the local constituents. But there is no such certainty. Rather there is danger that central control would spread a petrifying poison of routine fatal to real energy and antagonistic to the very elements on which the strength and effectiveness of our militia system must depend. It is here that the philosophy behind the Selective Service Act affords pertinent suggestions. That act was founded on the belief that in a country as large and heterogeneous as the United States centralization ought to be reduced to a minimum in order to take advantage of the elements of interest and force which are pocketed in myriad differing localities each having its own diversified conditions and problems. In such a country vigor must be drawn mainly from below, not supplied from above. In a few matters where a dominant and more or less uniform popular interest runs throughout the whole nation effective centralized action is possible and desirable; but it seems clear

that army policy has not yet emerged into the circle of such matters. Meanwhile life and interest are more important than system or routine; for they must be present before system and routine can produce results that are valuable.

By way of summary it may be admitted that in the external respects of technical military efficiency a national militia would be no doubt far superior to our present system of State-controlled militia; but that on the other hand the system of State control is essential to foster that popular interest in military matters upon which army policy must rest in a country governed by public opinion and without which a mechanical efficiency in the details of organization and administration would be only an empty shell. In its fundamental philosophy the Army Act of 1920 like the National Defense Act of 1916 represents a sound conformity with the conditions, good or bad as we view them, of American life. The hope of our military preparedness for the future lies in strengthening voluntary military organizations like the State militia bodies, summer training-camps, and military schools which embody the interest and enthusiasm of those individuals and groups in the population who are naturally interested in military affairs. The possibility of improvement lies in devising better ways for the technical military skill embodied in the Regular Army to touch and influence these voluntary organizations; and it is along that line that there is the greatest need for legislation to develop in the future.

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